

Date of Meeting	18.12.2019
Application Number	19/07428/LBC
Site Address	2D Timbrell Street, Trowbridge Wiltshire BA14 8PP
Proposal	Replace the Two First Floor Windows with uPVC of Similar Appearance
Applicant	Ernest Clark
Town/Parish Council	TROWBRIDGE
Electoral Division	Trowbridge Adcroft – Cllr Edward Kirk
Grid Ref	385756 - 158351
Type of application	Full Planning
Case Officer	Russell Brown

Reason for the application being considered by Committee

The applicant is an elected Member of Wiltshire Council; and in accordance with the Council's Constitution and Scheme of Delegation if private applications are made by an elected Member to which objections are received raising material planning considerations, the application will be determined by Planning Committee rather than under delegated powers.

In this particular case, Trowbridge Town Council object to the application and therefore the application must be brought before the Planning Committee for a decision.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan, national guidance and other material considerations and to consider the recommendation that the application be refused.

2. Report Summary

The main issues discussed in this report are:

- The Principle of the Proposed Works
- Impact on the Character of the Listed Building
- Impact on the Fabric of the Listed Building

Town Council – Objects for the reasons set out within section 7 of this report

Third Parties – No public representations have been received for this application.

3. Site Description

The site relates to No. 2 Timbrell Street in Trowbridge, which is identified in the insert plan on the following page, edged in red. The subject property is a Grade II listed building that forms part of a terrace of similar buildings, which are also listed as Grade II.



The listed terrace is shown in hatching, with an arrow pointing to No.2

The building is built in red brick, three storeys with a rendered ground floor and stone window surrounds and a stone arched front door. The building dates from the early 19th Century. Number 2 has a pair of wooden sash windows on the ground and first floors and a single wooden sash window on the second floor.

The terrace is broadly of similar appearance – red brick walling, stone window and door surrounds, tiled roofs, brick chimneys – however there are architectural variations in terms of their relative heights, roof types, round arched or square headed surrounds, sash windows in pairs or as single windows.

This gives the listed terrace an interesting and visually articulated appearance of individually detailed houses and shops that together become a coherent and handsome terrace.

The significance of the listed building, and the wider terrace, lies in the above points of historic interest. Whilst the terrace has changed in parts – shopfronts being inserted for example – the terrace still retains much of its original appearance. Many of the windows are not historic but are traditional wooden sliding sashes nonetheless and thereby strongly inform the positive historic character of the listed building and the terrace.

The front elevation of No 2 is contained within the yellow highlight below:





4. Planning History

W/81/01214/HIS - Change of use to residential of rear of ground floor and 1st and 2nd floors – Approved

W/81/01332/HIS - Pet shop – Refused

W/82/00662/HIS - Change of use from shop to Pet Shop – Approved

W/86/00431/LBC - Creation of door in back wall for fire stairs and front door – Approved

W/86/00555/FUL - Change of use of upper floors to multiple residential accommodation (bedsits) – Approved

W/89/00044/LBC - Conversion of existing shop and four bedsits plus new building extension to form five flats – Refused

W/89/00050/FUL - Convert shop to dwelling, convert house and cottage to 5 self-contained flats – Refused

W/89/00689/FUL - Conversion of shop, 4 bedsits and cottage to 5 flats - Approved

W/89/00690/LBC - Conversion of shop, 4 bedsits and cottage to 5 flats – Approved

Other relevant planning history from other properties with the terrace:

W/91/01105/LBC - Replacement top hung windows in place of sashes for No.11 Timbrell Street – Refused

W/02/00802/LBC - Internal alterations and new front door and window for No.10 Timbrell Street – Refused

Note: This application proposed replacement of a wooden door and wooden window with uPVC alternatives and was refused.

17/05278/PDENQ - Reinstatement of property on a like for like basis following fire damage for 3a Timbrell Street – Officer advice provided 21.06.2017

Enforcement Issues

As part of the appraisal of this application which included a site visit and engagement with the applicant, separate enforcement cases have been created relative to unauthorised installation of uPVC windows elsewhere within the listed terrace. For the avoidance of any doubt, unauthorised works to listed buildings constitute as criminal offences; and formal enforcement

investigations have been commenced for three properties in order to resolve the offences at No's. 5, 10 and 11 Timbrell Street.

5. The Proposal

This application proposal seeks to replace the two first floor wooden windows with uPVC windows of a similar appearance. As the previous site photos reveal, the first floor of No.2 has a pair of wooden sash windows within stone window surrounds. These windows are not historic but are wooden sash windows that open in the traditional sliding manner.

The middle windows shown below are the ones subject to this application:



The proposal seeks to replace these wooden sliding sash windows with uPVC casement windows that are noted in the application submission as being 'of similar appearance'. Casement windows open from the side or the top. Photographs have been submitted for the 'as existing' details.

The proposed details that have been put forward consist only of a written quotation letter from a window installer. No proposed drawings have been put forward despite the case officer's written and verbal requests.

There is therefore limited information submitted with this application in which to assess the proposal. However, uPVC windows are intrinsically unacceptable for listed buildings as this report will explain.

6. Planning Policy

The **Wiltshire Core Strategy (WCS)** - The following Core Policies (CP) are relevant when assessing this application: **CP57** (Ensuring High Quality Design and Place Shaping), **CP58** (Seeking the Protection, Conservation and, where possible, Enhancement of Heritage Assets).

Core Policy 57 of the Wiltshire Core Strategy states: "A high standard of design is required in all new developments, including extensions... Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality. Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through... being sympathetic to and conserving historic buildings".

Core Policy 58 of the Wiltshire Core Strategy echoes the above national policy in seeking the protection, conservation and, where possible, enhancement of heritage assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990

Section 10 states that an application for listed building consent shall contain—

- “(a) sufficient particulars to identify the building to which it relates, including a plan;
- (b) such other plans and drawings as are necessary to describe the works which are the subject of the application; and
- (c) such other particulars as may be required by the authority.”

Section 16 requires the Council to give special regard to the “desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

The National Planning Policy Framework (NPPF)

Paragraph 192 of the NPPF states: “In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.”

Paragraph 193 of the National Planning Policy Framework (NPPF) states that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. ... This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 194 of the NPPF states that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction...), should require clear and convincing justification.”

Paragraph 196 of the NPPF states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...”

The Historic England Guidance on Traditional Windows – Their Care, Repair and Upgrading (Revised edition February 2017) is also of relevance (see also Appendix 1) which states:

“The different appearance and character of PVC-u windows compared to historic windows is highly likely to make them unsuitable for older buildings, particularly those that are listed or in conservation areas... Their design, detailing and operation make them look different to traditional windows. Manufacturers have been unable to replicate the sections/glazing bars used in most timber and steel windows due to the limited strength of the material and the additional weight of the secondary glazing units. False ‘glazing bars’ which are thin strips of plastic inserted within the glass sandwich of a double glazed unit change the character of the window.” (pages 6-7).

7. Summary of Consultation Responses

Trowbridge Town Council – Objects. “Windows in PVC would be unsuitable in a listed building. Only hardwood would be acceptable.”

8. Publicity

The application has been advertised in the press and a site notice was displayed on a post at the front of the building. No third-party comments were received.

9. Planning Considerations

9.1 Principle of the Proposed Works and the Impact on the Historic Character of the Listed Building

9.1.1 The principle of the works is unacceptable in terms of the resultant harm to the character and significance of the listed building. uPVC windows and their acceptability for use in listed buildings has been the subject of much debate and has resulted in guidance such as that quoted in this report.

9.1.2 It is held that uPVC windows are unacceptable in listed buildings due to the incongruous material, the large frame dimensions, the trickle vents, the false glazing bars and the use of double-glazing.

9.1.3 In this particular case, the applicant has not submitted proposed drawings of the uPVC windows. However, the shared quotation letter includes the following information:

Glass Top quality 28mm hermetically sealed units, argon gas filled, with toughened safety glass to BS6206 where required. (A) Rated.

9.1.4 A 28mm sealed glazing unit would require large and heavy looking frame dimensions. uPVC is a weak material when compared to wood and the added weight of the double-glazed sealed unit would mean a frame dimension far in excess of the wooden equivalent.

9.1.5 Therefore, the proposed uPVC windows, with 28mm sealed units, would not be ‘of similar appearance’ to the existing wooden windows. As an example, two images are produced below to illustrate matters. On the left is the top left corner of one of the existing wooden windows, on the right is the example window shown on the window installer’s website who have submitted the quotation.



9.1.6 The left image shows how slender the existing wooden frames are, even though they themselves have double glazing. This maintains the historic character of the listed building and that of the wider listed terrace.

9.1.7 The right image shows the difference in frame dimensions for a uPVC window. The uPVC frame is deep in profile and heavy in appearance and very different from the slender traditional windows that mark this terrace and listed building. [NB. I reiterate that the right image was not submitted as part of the application but is the example photo shown on the installer's website.]

9.1.8 The uPVC windows would result in harm to the character of the listed building by reason that the large and non-traditional frame dimensions would be unsympathetic to that historic character.

9.1.9 There is a visual integrity at present with all the windows being timber despite them not being historic. They are traditional in terms of their dimensions, material and opening style. The proposal would destroy that visual integrity by the insertion of unsympathetic uPVC windows.

9.1.10 The proposed uPVC windows would appear as a purely plastic product. uPVC windows do not have the appearance of painted timber windows. The material itself, as well as the jointing details, has a very definite appearance such that it would not be mistaken for any other material and therefore this would be incongruous within this listed building.

9.1.11 The existing windows are traditional sliding sashes and therefore follow the traditional opening mechanism. This links these non-historic wooden windows back to the historic character of the listed building and is a reason why the existing windows are considered to be in keeping with the historic character of the listed building.

9.1.12 The proposed windows would be casement windows, meaning they would either open from side hinges, or from top hinges. In either case this would result in harm to the character of the listed building as windows of these proportions would traditionally be sliding sashes, not casements. The appearance of having uPVC windows projecting from the window opening when open would detract from the historic integrity of the listed building.

9.2 Impact on the fabric of the listed building

9.2.1 There would be no impact on the historic fabric of the listed building as the existing windows are not historic.

9.3 Exploration of The Applicant's Justification

9.3.1 Part of the justification for the proposed uPVC windows is that the existing windows are resulting in water ingress and therefore damaging the property. It is also put forward that energy efficiency is important.

9.3.2 The existing windows are fitted poorly, and it is unsurprising that water is getting into the building.

9.3.3 The windows are fitted right at the back of the window reveal with no coherent sill details:

9.3.4 The following photos shows the situation.



9.3.5 There is a beading on the inside of the windows so that they project into the room, which is a clumsy detail that indicates that they were not fitted correctly when they were installed. Therefore, there is a problem to solve and we wish to reach a satisfactory solution. That said, the use of uPVC is not necessary to prevent water ingress and heat loss. New timber windows could be made and fitted correctly, fully weather-sealed, that would prevent water ingress and also enhance thermal efficiency over the existing windows.

9.3.6 Once properly fitted windows are fitted within the reveal, secondary glazing could even be used behind if added thermal properties are required.

9.3.7 As noted earlier, the application submission highlights three instances of uPVC windows being installed in this listed terrace. These have been found to be unauthorised and enforcement investigations have begun to investigate these criminal offences. These unauthorised windows do not set a precedent to justify further uPVC windows in the terrace.

9.3.8 The applicant also puts forward as justification a quotation from a letter dated 30/08/17 relating to a permitted development enquiry regarding the like-for-like replacements for, among other things, the windows. This letter does not provide justification for changing the timber windows to uPVC. The letter simply agrees that a replacement, not only in timber but on a precise like-for-like basis, would leave the special interest of the building unchanged and therefore not require listed building consent. It makes no comment on the merits of any other possible course of action.

9.4 Other material considerations – Recent Appeals

9.4.1 In Bradford on Avon, applications 18/07003/LBC and 18/06995/LBC were submitted following enforcement action against two properties in a terrace that had unauthorised uPVC windows. These sought to replace these unauthorised uPVC windows with traditional wooden sliding sashes. These applications were approved, and the traditional replacements have now been installed, restoring the character of the listed buildings.

9.4.2 There was also an appeal in Trowbridge, following application 17/01683/LBC, against a property with three unauthorised uPVC windows. The inspector found that the two uPVC windows located in a 1950s/60s extension and largely hidden from view were acceptable, but the unauthorised uPVC in part of the original building was harmful and he dismissed that part of the appeal, noting:

22. I find these works to be the most obtrusive of the three. This is due to both the uPVC single light and the detailing at the roof edges. The crude metal sheeting detracts markedly from the appearance of this tiled roof as does the thick framing of the uPVC window. The uPVC window detracts from the special architectural and historic feature of the clay-tiled roof to the extension. It follows that I find this third window to be unacceptable and that LBC ought not to be granted for its retention.

9.4.3 The window in the above appeal decision was located in the rear elevation of the listed building and not easily seen. The windows in the current application are located in the front elevation and are very visible so the harm would be greater than in the above appeal.

10 Conclusion (The Planning Balance) - The proposed uPVC windows would result in less than substantial harm to the character of the listed building. This harm is deemed to be at the upper end of the less than substantial harm scale due to the use of an incongruous material, non-traditional opening mechanisms and the unsympathetic increase in the frame sizes of the windows that would result in harm to the historic character and integrity of the listed building.

This is contrary to Core Policy 57 and Core Policy 58 of the Wiltshire Core Strategy and the provisions of the National Planning Policy Framework. NPPF paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. There are no public benefits that would result from this scheme and accordingly the harm to the listed building has not been justified or mitigated.

11 RECOMMENDATION: It is recommended that the application should be refused for the following reasons:

The proposed uPVC windows would result in less than substantial harm to the character of the listed building. This harm is deemed to be at the upper end of the less than substantial harm scale due to the use of an incongruous material, non-traditional opening mechanisms and the unsympathetic increase in the frame sizes of the windows that would result in harm to the historic character and integrity of the listed building contrary to Core Policy 57 and Core Policy 58 of the Wiltshire Core Strategy and the provisions of the National Planning Policy Framework. In applying paragraph 196 of the National Planning Policy Framework there are no public benefits that would result from this scheme and accordingly the harm to the listed building has not been justified or mitigated.

Appendix:

Appendix 1: Historic England Guidance: Traditional Windows – Their Care, Repair and Upgrading (Revised edition February 2017) extract (p. 6-7)

buildings, windows are small relative to wall areas so the cost of double glazing will seldom be covered by energy savings within the lifetime of the insulated glazed units.

The thermal performance of traditional windows can be improved significantly by draught-proofing

or secondary glazing. Further benefits can be gained simply by closing curtains, blinds and shutters - measures that can produce the same heat savings as double glazing. Measures to improve the thermal performance of windows are described in more detail in Section 5 of this guide.



Why are plastic (PVC-u) windows unsuitable?

The different appearance and character of PVC-u windows compared to historic windows is highly likely to make them unsuitable for older buildings, particularly those that are listed or in conservation areas. PVC-u is short for *Poly Vinyl Chloride un-plasticised* and these windows are assembled from factory-made components designed for rigidity, thermal performance and ease of production. Their design, detailing and operation make them look different to traditional windows. Manufacturers have been unable to replicate the sections/glazing bars used in most



Images 20-22

PVC-u windows stand out as they cannot match the sections and proportions of historic joinery and slim metal sections.



Images 23 and 24

Research has shown that houses in conservation areas have added value and the retention of key elements such as traditional windows contributes to this.

timber and steel windows due to the limited strength of the material and the additional weight of the secondary glazing units. False 'glazing bars' which are thin strips of plastic inserted within the glass sandwich of a double glazed unit change the character of the window.

Repairs can be a major problem. Because of the nature of PVC-u, complete replacement is often the only viable option, which makes them a very unsustainable solution when compared to timber and steel.

The frames of PVC-u windows need cleaning every six months to prevent discolouration from dirt and ultra violet light. They also need to be lubricated and adjusted annually and weather-seals and gaskets renewed at least every ten years. Paints are now available for some of the early varieties of PVC-u windows that have since faded or discoloured.

Although recycling does exist for PVC-u windows this is limited to waste sections left over in manufacturing rather than for complete redundant windows. Discarded windows end up in landfill sites with the potential for releasing some of the most damaging industrial pollutants.

Can replacement windows affect property values?

Home improvements are big business. The installation of replacement double glazed windows closely follows new kitchens and bathrooms as the most popular improvements, often in the belief that such work adds value to a property.

Estate agents suggest that using poor facsimiles of historic features can actually *reduce* the value of a property. A survey of UK estate agents carried out by English Heritage in 2009 showed that replacement doors and windows, particularly PVC-u units, were considered the biggest threat to property values in conservation areas. Of the estate agents surveyed, 82% agreed that original features added financial value to homes and 78% thought that they helped houses sell more quickly.

This is a significant issue for homeowners, particularly those in conservation areas, because houses in these areas sell, on average, for 23% more than houses elsewhere. This has been shown by research carried out on behalf of English Heritage by the London School of Economics (Ahlfeldt, Holman and Wendland, 2012).