

BOROUGH OF KETTERING

Committee	Full Planning Committee - 22/08/2017	Item No: 5.9
Report Originator	Richard Marlow Senior Development Officer	Application No: KET/2017/0458
Wards Affected	Slade	
Location	5 Main Street, Mawsley	
Proposal	Full Application: Replace 5 no. windows to front	
Applicant	Mr R Baker	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be REFUSED for the following reason(s):-

1. The proposal as submitted would by virtue of its design and detailing adversely affect the character and appearance of the host property and the wider Article 4 area in conflict with the design aims of Policy 7 of the National Planning Policy Framework and Policy 8 of the Joint Core Strategy.

Officers Report for KET/2017/0458

This application is reported for Committee decision because a ward member has asked for it to be considered.

3.0 Information

Relevant Planning History

KET/2016/0913 Replace 5 no. windows on front elevation. Refused 11 April 2017.

KET/2016/0616 - 5 no. replacement UPVC windows (4 no. to rear and 1 no. to side) – Approved - 22/10/2016

KET/2006/0588,EKS,Extend current front garden railings to enclose grassed area owned by applicant – Approved - 15/08/2006,

Site Visit

Officer's site inspection was carried out on 07/07/2017

Site Description

The 'new' village and civil parish of Mawsley are south east of the town of Kettering accessed via the arterial A43. Planned from the outset to be of a high quality design and build, the village boasts a convenience store, primary school, health centre, dentist and day nursery serving 800 plus residences.

The application site comprises a two storey double width detached property constructed of red brick with white timber windows and a stained timber front door. Boundary treatments consist of wooden picket fencing to the front and 1.8m close boarded fencing to the rear. Properties in the immediate vicinity of the site comprise a mix of detached and semi-detached dwellings.

Proposed Development

5 no. replacement UPVC windows on front elevation. The application is similar to application KET/2016/0913 which was refused through delegated powers on 11 April 2017.

Any Constraints Affecting the Site

Article 4 direction - direction dated 18/07/2001

Mawsley Village was originally designed to show characteristics of a traditional Northamptonshire Village represented today through the form of some of its streets and the appearance of dwellings. Large proportions of Mawsley have limited permitted development rights either by being located within the designated direction under Article 4, Town and Country Planning (general permitted development) Order 1995 or subject to conditions removing these rights. The Article 4 was designated on 18th June 2001 and removes a range of permitted development rights including the development which is normally permitted via Class A, B, C, D and H of Part 1 and Class A of Part 2, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) 2015 Order (as amended)

4.0 Consultation and Customer Impact

Parish/Town Council

No comments received

Neighbours

One letter of support

5.0 Planning Policy

National Planning Policy Framework

Chapter 7 – Requiring good design

Development Plan Policies

North Northamptonshire Joint Core Strategy (JCS)

Policy 8 – Place shaping principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Design and Impact on the Article 4 Area
3. Residential Amenity

1. Principle of development

The proposal is to replace all the wooden windows on the front elevation with UPVC on a dwelling within the settlement of Mawsley that does not have a designated settlement boundary. However, as the site is located within the village, surrounded by residential development, Section 6 of the National Planning Policy Framework (NPPF) requires Local Planning Authorities to take a positive approach to proposals for residential development and to consider applications for housing in the context of the presumption in favour of sustainable development. Policy 8 of the North Northamptonshire Joint core strategy (JCS) states that development should ensure quality of life and safer and healthier communities by protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking

The proposal is acceptable in principle as long as it complies with the above development plan criteria and does not result in any adverse impacts on neighbouring amenity or does not detract from the traditional character and appearance of the area which the Article 4 protects.

2. Design and Impact on the Article 4 Area

High quality design is enforced through policy 7 of the National Planning Policy Framework and 8 d) and e) of the JCS which requires development to respect the character of its surroundings.

The application site is accessed and visible from Main Street, which is a principal route through the village where development has been restricted by an Article 4 Direction in order to protect the character of the area.

The Article 4 Direction was designated on 18th July 2001. The statement of justification included with the direction, states *'Materials selected for this part of the village [the Village Street] include the use of natural stone and slate, in conjunction with sympathetic man-made materials. The use of uPVC for windows, doors, eaves and porches has been avoided because it is considered inappropriate for the setting.... As a consequence, it is considered that the piecemeal replacement or alteration of these elements of the design with unsympathetic alternatives and the uncontrolled erection of extensions, porches and canopies would erode the character of the street scene and undermine the quality of the development.... This would undermine the design objectives established through the Local Plan Policy, Supplementary Guidance and the approved Master plan, which have been secure in the detailed design of this development'*.

Properties within the Mawsley Article 4 area have wooden windows in an attempt to apply historical character to these properties. This is because windows have a significant impact on the character and appearance of a building, through their arrangement, size and detailing. However these wooden windows have issues pertaining to maintenance and efficiency. As a result there is increasing awareness of the need to improve the thermal efficiency of buildings and mitigate climate change.

A number of applications have been made within the past year for replacement windows to properties within the Article 4 area which have included the replacement of windows to the front, principal, elevation as set out below.

Application	Location	Existing style	Proposed Style	Decision
KET/2016/0913	5 Main Street	Timber casement with structural glazing bar with sill lip detail	uPVC casement visible trickle vent	Refused
KET/2017/0275	36 Main Street	Timber casement with structural glazing bar with sill lip detail	uPVC casement, visible trickle vent, integral glazing bar set within glass cavity.	Refused
KET/2016/0711	7 Scholars Row	Timber Casement with non-structural glazing bar	uPVC casement with hidden trickle vents and astragal glazing bars	Approved
KET/2017/0202	3 Link Lane	Timber casement with structural glazing bar with sill lip detail	uPVC casement with hidden trickle vents and astragal glazing bars	Approved
KET/2016/0915	34 Main Street	Timber casement with structural glazing bar with sill lip detail	Flush fitting uPVC with astragal glazing bar, no visible trickle vent	Approved
KET/2016/0589	2 Scholars Row	Timber casement	Timber casement	Approved

The purpose of the Article 4 Direction was not necessarily to prevent the use of materials other than timber but instead to ensure that the design and visual appearance of the replacement non-timber windows are of sufficient quality and respect the area. A 2013 appeal decision at 15 Main Street, Mawsley is relevant, given the proximity to the application site and comparable existing window style, and considered the replacement of timber windows and doors to the property which is located along one of the village's principal routes. Critically that application/appeal was not supported by detailed drawings or examples of the replacement windows.

The Inspector was *unconvinced that the uPVC material would not be readily discernible or that there would be no material loss of architectural detail which would lead to an impression of bulk, notwithstanding the similar dimensions and as such concluded that the proposed replacements would materially harm the character and appearance of the appeal dwelling.* As such the inspector was concerned by the bulky nature of the UPVC windows by virtue of their lack of architectural detailing rather than solely on the basis of the replacement windows being UPVC. It therefore follows that in the event that the replacement windows have sufficient architectural detailing and light-weight appearance, regardless of the materials, they could be considered to be acceptable.

The existing timber windows have a recess of approximately 4.5cm from the face of the wall, with a timber sill that fits within the windows recess. The window frames are 7cm in width with horizontal glazing bars, which incorporate a drip sill feature, with a 4.5cm width. The glazing bars are structural and therefore each window is made from several smaller double panes retained by the frame and the bars.

There are also elements of the existing windows design that do not faithfully adhere to a high quality traditional design approach. Of note is the inclusion of trickle vents, albeit hidden within the head frame of the unit and the lack of flush fitting closure.

By way of comparison the proposed replacement windows are of comparable width (7cm) with a sculptured beading profile, rather than the more angular chamfered design, have a foil wood-grain effect finish and would be installed with both a recess fitting and stub sill.

However there are elements of the proposed window frames that would harm the character and appearance of the dwelling when viewed from Main Street. The windows would feature highly visible trickle vents running approximately half of the width of each frame that would readily identify the units as standard uPVC frames. The applicant in support of their proposal has included reference to Building Regulation Approved Document F: Ventilation and has during the application process clarified with FENSA the requirements for ventilation. In summary where existing windows include background ventilation (trickle vents) then replacement windows should also include such provision or alternatively an appropriately sized air brick fitted.

Whilst on this site trickle vents or air bricks would need to be provided this does not in itself justify the highly visible standard trickle vents proposed in this instance. Previous approvals within the article 4 area have demonstrated that some uPVC products are available which incorporate hidden trickle vents and are therefore largely indistinguishable from timber windows.

The horizontal glazing bars proposed are also integral, internal bars, set within the glass of the double glazed units, rather than astragal bars which are fixed to the glass on the inside and outside giving the impression of structural bars which, as with the existing window, would divide the window into multiple

panes.

For the reasons stated above overall the proposed replacements would materially harm the character and appearance of the appeal dwelling and the wider area. Consistent with the 2013 appeal through application KET/2012/0717, officers are unconvinced that the uPVC material would not be readily discernible or that there would be no material loss of architectural detail which would lead to an impression of bulk, notwithstanding the similar dimension.

Consequently, due to the highly visible location of the property and the lack of traditional design proposed, the windows are considered to adversely affect the character of the location and do not respect the requirements of the Article 4. The proposal therefore conflicts with the design aims of Policy 7 of the National Planning Policy Framework and Policy 8 of the Joint Core Strategy.

3. Residential amenity

Paragraph 17 of the NPPF requires that developments do not result in an unacceptable impact on the amenities of neighbouring properties of the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking. This protection of residential amenity is supported by the Place shaping principles of Policy 8 of the JCS. The replacement windows will not generate any adverse amenity impacts in accordance with the above policies.

Conclusion

The proposal as submitted would adversely affect the character and appearance of the host property and the wider Article 4 area in conflict with the design aims of Policy 7 of the National Planning Policy Framework and Policy 8 of the Joint Core Strategy. Consequently the application is recommended for refusal.

Background Papers

Title of Document:

Date:

Contact Officer:

Richard Marlow, Senior Development Officer on 01536
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Previous Reports/Minutes

Ref:

Date: