

Report to Planning applications committee
Date 12 September 2013
Report of Head of planning services
Subject 13/01313/NF3 23, 27 & 29 Trory Street Norwich NR2 2RH

Item
5(7)

SUMMARY

Description:	Window replacement works to front elevations
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	Town Close
Contact Officer:	Mr James Bonner Planner 01603 212542
Valid Date:	16 August 2013
Applicant:	Norwich City Council
Agent:	Mr Neil Jarvis

INTRODUCTION

The Site

Location, Context and Constraints

1. The windows affected by this proposal are on the houses 23, 27 and 29, all located on the south side of Trory Street. The properties make up a row of locally listed mid 19th Century Victorian terrace that stretches from number 33 to the west to number 9 on the corner with Kimberly Street. The site is within the Heigham Grove conservation area and within this there are a number of other locally listed properties such as those along the east side of Kimberly Street and the majority of those along the streets to the west and those parallel to the south. Just to the north east is Winchester Tower, a local landmark. There are no statutory listed buildings within view.
2. The properties in question are subject to an Article 4 direction, which covers 11 – 17 and 21 – 35 (odds). The direction removes the ability for people to make certain alterations to their properties without the need for planning permission. With specific relevance to this case it covers the replacement of the windows on the front elevation, hence the need for an application that would otherwise be Permitted Development. As explained in the conservation area appraisal ‘individually the houses have relatively simple facades, but when viewed together the houses provide a harmonious grouping, with a strong sense of rhythm in the repetitive arrangement of proportioned windows and regular placement of chimney stacks at high level’. The erosion of this uniformity is the context for the Article 4 direction and therefore the application and so is referred to throughout the report.

Planning History

13/01047/NF3 - Window and door replacement works to houses. (WITHDRAWN - 09/08/2013)

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

3. This is an application for the replacement of the windows on the front elevation of three council owned houses. Windows and doors at the rear are also being changed but as they are not covered by the Article 4 direction, they are replaced under Permitted Development and are not part of the application.

4. The existing status of each property's windows are as follows:

Number 23: This property had two large white timber windows in the front elevation, both featuring two sections, each with Georgian bars to give a total of twelve panes between each section. The top window section was a top-hung casement and the bottom fixed. Due to misunderstanding about the extent of the Article 4 direction, in April 2013 the first floor window was replaced with a top-hung white PVC casement window with stuck-on Georgian bars (also twelve pane) and two trickle vents. Following a local resident's complaint, planning conservation officers intervened before the ground floor window was changed.

Number 27: This property has an additional window on the first floor. All three windows are a similar style to the remaining ground floor window of No.23 in that they are white timber top hung casements.

Number 29: The windows are virtually identical to those on No.27.

5. An application was previously submitted (13/01047/NF3) in response to enforcement action being taken against the unlawful window replacements at No.23. The application proposed windows on all three properties to match the replaced window on number 23. This was deemed unacceptable and was withdrawn.

6. The current proposal is for all of the front windows to be replaced with white PVC vertical sliding sashes with Georgian bars to create a twelve pane window to match the majority of street's windows. This has been discussed with the council's conservation officer and he is supportive of the proposals. Crucial to the acceptability of the windows is the manner in which they sit in the brick reveal. This will be explained further in paragraph 18. The window specifications are crucial to ensuring the design of the window is correct. The following will be conditioned on each window:

- Georgian bars that are chamfered and not moulded
- No window horns

Representations Received

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received citing the issues as summarised in the table below.

8.

Issues Raised	Response
In the 1960s No.23 was a showhouse to demonstrate what could be done with older properties. The council have since let it slip with poor maintenance. The proposals are not in-keeping with the conservation area.	For the design and impact on conservation area see paragraphs 15 – 21.
We have concerns about the proper process for conservation areas such as here and the style should be Georgian sash, preferably in wood.	For the process see paragraphs 4 and 5. For the design and impact on conservation area see paragraphs 15 – 21
PVC windows and doors are not in keeping with the conservation area. Wood is more appropriate.	Front doors have been removed from the revised scheme. For the design and impact on conservation area see paragraphs 15 – 21.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 7 – Requiring good design

Statement 10 – Meeting the challenge of climate change, flooding and coastal change

Statement 12 – Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 – Development in Conservation Areas

HBE12 – High standard of design in new development

EP18 – High standard of energy efficiency in new development

Supplementary Planning Documents and Guidance

Heigham Grove Conservation Area Appraisal (March 2011)

Heigham Grove Article 4 Direction Guidance Notes (May 2011)

Other Material Considerations

Development Management Policies Development Plan Document – Pre-submission policies (April 2013)

DM1 – Achieving and delivering sustainable development

*DM3 – Delivering high quality design
DM9 – Safeguarding Norwich's heritage

* – only limited weight has been applied to DM3 because there is an objection to its submission, but its objectives of protecting and enhancing the local distinctiveness and character (part c) are still broadly supported by existing Local Plan policies HBE8 and HBE12.

Principle of Development

Policy Considerations

9. The principle of the development is dependent on the windows' design and their impact upon the character of the streetscene and wider conservation area. Accordingly it principally will be determined against policies such as HBE8 and HBE12 of the Replacement Local Plan and policy 2 of the Joint Core Strategy. The conservation area appraisal and Article 4 guidance will help to direct the decision.
10. The increase in energy efficiency has less of a bearing on the decision compared to design as the reason for the application is the Article 4 direction, in this case a control specifically managing character. However some weight can be attached to policies like EP18 of the RLP and policy 1 of the JCS.

Article 4 direction and the conservation area

11. The General Permitted Development Order exempts many small developments from the need for planning permission. The designation of a conservation area has some restriction on the types of Permitted Development enjoyed by householders and generally refers to development such as dormers and side extensions rather than the replacement of windows and doors.
12. Houses in a conservation areas do not by default have their Permitted Development rights removed for replacing windows and doors; this is done by the local planning authority making an Article 4 direction on the properties. The Article 4 direction covering the Heigham Grove area came into force on the 6 June 2011 and is used to manage change at the front and side of the properties, principally seeking to preserve the appearance of the street frontages in this area. The overarching point is to try and reverse the gradual erosion of places like Trory Street's desirable uniformity or 'group value'.
13. The acceptability of the proposals therefore hinges on whether the windows are incongruous within the row of terraces when seen against the design of the original sashes which make up the historic character of the street that the Article 4 direction wishes to either maintain or reinstate.

Design

14. The report will now look at the design of the windows with the aim of the Article 4 direction in mind – to preserve or reinstate the character of the area. Specific to this setting, this involves 6 over 6 vertical sash windows that historically are made of timber.

15. Alongside the choice of materials, the importance of their detailing is key to the window's appearance and therefore acceptability. The use of 'horns' – small strips of wood either side of the frame at the bottom – gives an indication of the date of the windows. In this case no horns have been specified with the intention of more successfully reflecting the historic context of the properties.
16. An additional important detail is the use of chamfered window bars to replicate putty – another welcome detail that helps to improve the visual quality of the windows to be more in line with their original design.
17. Perhaps the most important specific is the manner in which the window unit is fitted into the opening. The detailed drawing shows the whole window set back 100mm from the outer brick face and the frame also set back in the reveal, ensuring only 32mm of each jamb is visible.
18. The PVC sill is optional and depends on the state of the stone sill when the existing window and sill are removed. It is more than likely sills will be required to cover the damage but it is considered unnecessary to demand a wooden sill as the clear difference in materials would instead detract from the visual quality of the windows.
19. As there is a small garden separating the properties from the highway, a clear distinction in the prominence of windows is apparent when seen against other Article 4 properties such as the locally listed properties along Calvert Street. Details like glazing bars and the way the window sits within the reveal are arguably more important than the material in cases like this. In addition the applicant emphasises the need to reduce the maintenance of the properties. In the circumstances the use of an appropriately detailed PVC window is acceptable as it provides a cost-effective means of improving the energy efficiency of the properties whilst bringing an improvement to the uniformity of the terrace.

Article 4 and Conservation Area – Impact on Setting

20. The impact of the new windows must be assessed against what is existing and not an "ideal" window. The new windows are a major improvement over the existing casements (which themselves were inconsistent with the original character) and are considered to be of a well-thought-out design that respects and improves the character of not only the street scene but also that of the wider conservation area.

Environmental Issues

Energy Efficiency

21. The proposed windows will bring about a drastic improvement to energy efficiency over the existing single glazed timber windows. This is in line with the policy 1 of the Joint Core Strategy, saved policy EP18 of the Replacement Local Plan and emerging policy DM1, of which substantial weight can be attached.

Local Finance Considerations

22. None.

Conclusions

23. The Article 4 direction which necessitates the need for an application here requires any new windows to respect the character of the terrace and the strength of the houses as a harmonious group. Despite not being of timber construction the design

of the proposed replacement windows respect the shared architectural characteristics of the houses in the street and this is clearly demonstrated by the details provided. The proposed sash windows are an improvement over the existing timber casement windows not only when closed but importantly when open. Given the relatively less prominent nature of the elevations the use of PVC over timber is acceptable as their design ensures they are not incongruous but are in fact an improvement to the street scene. Due to the improvements to both occupier amenity and energy efficiency, the windows – which will require less future maintenance by the Council – are on balance considered acceptable and in accordance with the policy objectives of the National Planning Policy Framework, policies 1 and 2 of the Joint Core Strategy, saved policies HBE8, HBE12 and EP18 of the City of Norwich Replacement Local Plan (Adopted Version November 2004 and all other material considerations.

24. Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at both the application and pre-application stage, the application has been approved subject to appropriate conditions and for the reasons outlined in the committee report.

RECOMMENDATIONS

To approve Application No (13/01313/NF3) and grant planning permission, subject to the following conditions:-

- 1 – Standard time limit
- 2 – In accordance with the approved plans



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Planning Application No 13/01047/NF3
 Site Address 23,27 and 29 Trory Street
 Scale 1:700



NORWICH
 City Council

PLANNING SERVICES



