

PARISH Scarcliffe Parish

APPLICATION 5 Top floor windows, replace rotten wooden single pane sash windows with UPVC sash windows. 5 Ground floor windows, replace rotten wooden sash windows with UPVC sash windows.

LOCATION 47 Main Street Scarcliffe Chesterfield S44 6TD

APPLICANT Mr and Mrs Brian Smyth, The Villa, Wood Lane, Scarcliffe, CHESTERFIELD, S44 6TF

APPLICATION NO. 21/00098/FUL **FILE NO.** PP-09533395

CASE OFFICER Amelia Carter

DATE RECEIVED 19th February 2021

SUMMARY

The proposed upvc sash windows are a quality timber alternative and details have been submitted and a sample window provided which show how the windows replicate closely the appearance of timber sash windows. These windows are considered to preserve the character and appearance of the building and the conservation area in accordance with policy SC16 of the Local Plan for Bolsover District and the application is recommended for approval.

The application has been referred to Planning Committee for a decision because the applicant is a District Councillor.

Site Location



SITE & SURROUNDINGS

The Old Post Office is a substantial red brick property dating from the late 19thC which occupies a prominent position in the Conservation Area. The property has been identified as an unlisted building of merit in the conservation area.



PROPOSAL

The application is to replace the existing 5 ground floor and 5 first floor timber sash windows with a UPVC style sash window.

CONSULTATIONS

Conservation Manager – 13/04/2021

Given the prominence of the building there would normally be an expectation that the windows would be replaced with traditional timber windows. However, the original sash windows were replaced with like for like timber replacements sometime around 2004 and they are starting to decay. The proposal is to replace the existing timber windows with a sliding sash window to the same design but constructed in UPVC. A sample of the window from Quick Slide was delivered to the office. It is considered that the replacement window will replicate the modern timber windows which are currently installed in the property and as a result the character and appearance of the conservation area will be left unharmed.

Scarcliffe Parish Council

No comments received

All consultation responses are available to view in full on the Council's website.

PUBLICITY

The development has been advertised by way of a site notice and 5 neighbours have been

individually notified. No representations have been received.

POLICY

Planning law requires that applications for planning permission be determined in accordance with policies in the adopted Local Plan, unless material considerations indicate otherwise. In this case, the most relevant Local Plan policies include:

Local Plan for Bolsover District (“the adopted Local Plan”)

SS1 (Sustainable Development)

SS3 (Spatial Strategy and Distribution of Development)

SS11 (Environmental Quality (Amenity))

SC1 (Development within the Development Envelope)

SC2 (Sustainable Design and Construction)

SC3 (High Quality Development)

SC16: Development Within or Impacting upon Conservation Areas

National Planning Policy Framework (“the Framework”)

The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

- Paragraphs 7-10: Achieving sustainable development
- Paragraphs 47-48: Determining applications
- Paragraphs 54-57: Planning conditions and obligations
- Paragraphs 124-128: Achieving well-designed places
- Paragraph 153: Meeting the challenge of climate change
- Paragraphs 184 and 189-197: Conserving and enhancing the historic environment

Supplementary Planning Documents

Successful Places: A Guide to Sustainable Housing Layout and Design, Adopted 2013:

The purpose of the Successful Places guide is to promote and achieve high quality residential development within the District by providing practical advice to all those involved in the design, planning and development of housing schemes. The guide is applicable to all new proposals for residential development, including mixed-use schemes that include an element of housing.

ASSESSMENT

Key issues

The main issue for consideration is whether or not the proposal would preserve or enhance the character or appearance of the Scarcliffe Conservation Area and comply with the requirements set out in the NPPF and Local Plan policies SC16 and SC21.

Landscape and visual impact of the proposed development

The existing timber sash windows are not original to the property and consist of a combination of single and double glazed modern replacements with variation in detailing. The existing windows show some signs of disrepair and the applicant has stated in their application that they struggle to maintain the existing timber windows.

The proposed upvc sash windows are a high quality timber alternative. Details have been submitted and a sample window provided which show how the windows supplied by Quick Slide can replicate closely the appearance of timber sash windows such that until you are very close to the building they have the appearance of traditional timber windows.

These windows are considered to preserve the character and appearance of the building and the conservation area in accordance with policy SC16 of the Local Plan for Bolsover District.

Heritage and Conservation

The Council's Heritage and Conservation Manager has said that the installation of the proposed windows would leave the character and appearance of the conservation area left unharmed.

Residential Amenity

There are considered to be no impacts on residential amenity given that the replacement windows are very close in appearance to traditional sash timber windows and the surrounding properties within the Conservation Area have already installed modern upvc windows which lack many of the details of traditional timber windows. On this basis, the proposals are considered to be compliant with policy SC3 in the Local Plan.

Access/Highways

There are considered to be no impacts on highway safety as a result of the development.

RECOMMENDATION

The application be APPROVED subject to the following conditions:

Condition(s)

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The proposed replacement windows must be the same type, texture and colour as those hereby approved by the Local Planning Authority (Quick Slide - Off Set Three Light Style in White Grain).

Reasons for Condition(s)

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory standard of external appearance and in compliance with Policies SC16 and SC21 of the Local Plan for Bolsover District.

Statement of Decision Process

1. The proposal complies with the policies and guidelines adopted by the Council and the decision has been taken in accord with the guidelines of the National Planning Policy Framework.

Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e. “the Public Sector Equality Duty”).

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic

Human Rights Statement

The specific Articles of the European Commission on Human Rights (“the ECHR”) relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this ‘balancing exercise’ in the above report, officers are satisfied that the potential for these proposals to affect any individual’s (or any group of individuals’) human rights has been addressed proportionately and in accordance with the requirements of the ECHR.