

- a) **DOV/20/00181 – Replacement of existing windows and door with uPVC windows and door - Flats 1 to 5, Goodwin House, 38 Victoria Road, Deal**

Reason for Report: Seven contrary views

- b) **Summary of Recommendation**

Planning Permission be REFUSED

- c) **Planning Policy and Guidance**

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72 (1) - In the exercise, with respect to any buildings or other land in a conservation area special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Planning Policy Framework (NPPF)

NPPF 2019

Achieving sustainable development - Paras 7-14

Achieving well designed places - Paras 124-132

Conserving and enhancing the Historic Environment - Paras 184-202

Dover District Core Strategy (CS)

Policy DM1 supports development carried out within the urban confines or is ancillary to existing development.

- d) **Relevant Planning History**

DOV/98/1098 – Change of use from bed and breakfast to five flats - granted

DOV/16/1066 – Replacement Windows and Door – Appeal Dismissed

COV/17/1027 – Replacement Windows and Doors – Refused

PE/20/00013 – Pre-Application Advice given – Application for uPVC windows unlikely to be favourably received

- e) **Consultee and Third-Party Responses**

Deal Town Council

Object - Materials for windows and doors should be similar to existing materials and the drawings do not clarify the character of the replacements.

Heritage Team

Object - Previous officer refusals and an appeal decision have been clear and consistent in objecting to uPVC replacements in this building.

Public Representations

A total of nine local residents commented on the proposal as follows:

Seven local residents support the proposal (including three residents of the flats) on the grounds that the proposal would provide better insulation and be more economical to run, reduce road noise and meet the Government's zero emissions target and would not detract from the appearance of the building, Others comment that there are other properties in the area having similar windows.

One local resident objects on the grounds that the integrity of the building 'deserves a good deal better than plastic'.

One local resident has no objection in principle but asks that they be of a similar high quality feeling that: "the integrity of this grand old building in the Conservation Area should be preserved".

f) **1. The Site and the Proposal**

1.1 Deal Middle Street Conservation Area comprises a mix of historic development in the centre of Deal and around the seafront. Victoria Road is a principal road leading to the town centre. Development in the area is generally close to the edge of the pavement, whilst that on the opposite side being set back further from the road. Roads of similar development close to the pavement, including Ranelagh Road, lead between Victoria Road and the seafront.

1.2 Goodwin House is located on the junction of Ranelagh Road and Victoria Road and this location means that it is a very prominent building in the street scene. It is a substantial building with a distinctive curved head to many of the windows that, combined with the similar building over Ranelagh Road, dominates this busy, and undoubtedly noisy junction.

1.3 Most surrounding buildings contain timber windows that reflect the age and style of the buildings within the conservation area. However, there are some replacement uPVC windows in surrounding buildings of varying styles and designs.

1.4 The existing windows in the building are in a poor state of repair and appear liable to potential draughts, rattles, and poor heat retention and noise insulation.

1.5 The applicant seeks permission to "replace existing wood vertical sliding windows, like for like in design and colour (and) replace the existing front wood door similar in design in white retaining the coloured lead glazed windows above the door". The windows would be of UPVC and the door of a composite material.

1.6 The applicant states that the proposed windows and door seek to replicate that of the existing windows and door in the property whilst providing the benefits of modern double-glazed units.

2. Main Issues

2.1 The main issue for consideration is considered to be the effect the proposed alterations to the building would have on the heritage asset comprising the Middle Street Deal Conservation Area.

Principle of Development

- 2.2 Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas Act 1990 (as amended) imposes a duty on Local Planning Authorities in respect to any buildings or other land in a conservation area in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 2.3 The NPPF identifies that planning decisions should play an active part in guiding development towards sustainable solutions. Paragraphs 184 to 183 deal with developments affecting heritage assets and are referred to below
- 2.4 The Dover District Local Development Framework Core Strategy 2010 Policy DM 1 allows for development within the settlement boundaries.

Heritage Issues

- 2.5 When determining proposals considerable importance and weight must be given to the harm caused by proposals that adversely affect a heritage asset
- 2.6 The National Planning Policy Framework (the Framework) advises at Paragraph 193 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. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 2.7 Accordingly, while less than the 'substantial harm' referred to in Paragraph 196 of the Framework, the harm to the conservation area is nevertheless a matter of considerable importance in this case. Paragraph 197 of the Framework establishes 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.
- 2.8 The applicant refers to the environmental advantages of the proposed materials and that the windows would reduce heat loss from the building and reduce the effect of traffic noise on living conditions of residents given this busy location on the approach to the town centre. The reduction in costs to heat the flats and the environmental advantages of the proposed windows are not set out or quantified and are in any case in the main a 'private benefit' rather than a 'public benefit'.
- 2.9 The existing timber sash windows and the distinctive 'curved heads' of other windows are an intrinsic part of the building and complement the architectural integrity of it and the conservation area. The design of the replacement uPVC windows is similar to the existing timber windows, but the proposed material would be more bulky than, and have a different appearance to, timber and along with other detailed design differences which would be visible from the street would denigrate the value of this building within the Heritage asset comprising the Conservation Area.

3. Conclusion

- 3.1 In conclusion I consider that the proposal constitutes 'less than substantial harm' to the heritage asset comprising the Middle Street Deal Conservation Area and that there is no 'public benefit' that would outweigh the harm.

3.2 I therefore recommend planning permission be Refused.

g) **Recommendation**

I Planning permission REFUSED on the following ground:

The proposed uPVC windows and door would detract from the appearance of this non-designated heritage asset and would harm the character and appearance of the surrounding Conservation Area with no overriding public benefits. The proposal therefore runs contrary to the aims and objectives of the National Planning Policy Framework 2019 as well as the National Design Guide 2019.

II Powers be delegated to the Head of Planning, Regeneration and Development to settle any necessary issues in line with the matters set out in the recommendation and as resolved by planning committee.

Case Officer

Tony Jarvis