

Design & Access Statement

(Including Impact & Justification)

**Application for a
Replacement Windows & Doors**

**At
18 Swanspool Parade
Wellingborough
Northamptonshire
NN8 2BZ**

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DESIGN & ACCESS STATEMENT

Document Reference 21-061-DA

Proposed replacement of windows and doors at 18 Swanspool Parade, Wellingborough

PREAMBLE

This design statement forms part of a planning application for replacement of existing timber windows with matching upvc windows and patio doors to the rear elevation. These are indicated on the submission drawing 21-061-01.

It is strongly believed that replacement of the windows with matching upvc units falls within permitted development rights of the Town and Country Planning (General Permitted Development etc)(England) Order and Part 1 of Schedule 2 Class A.

The only condition in the Order is the requirement that the materials used must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

A.1 Development is not permitted by Class A if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse; or

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

Conditions

A.3 Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

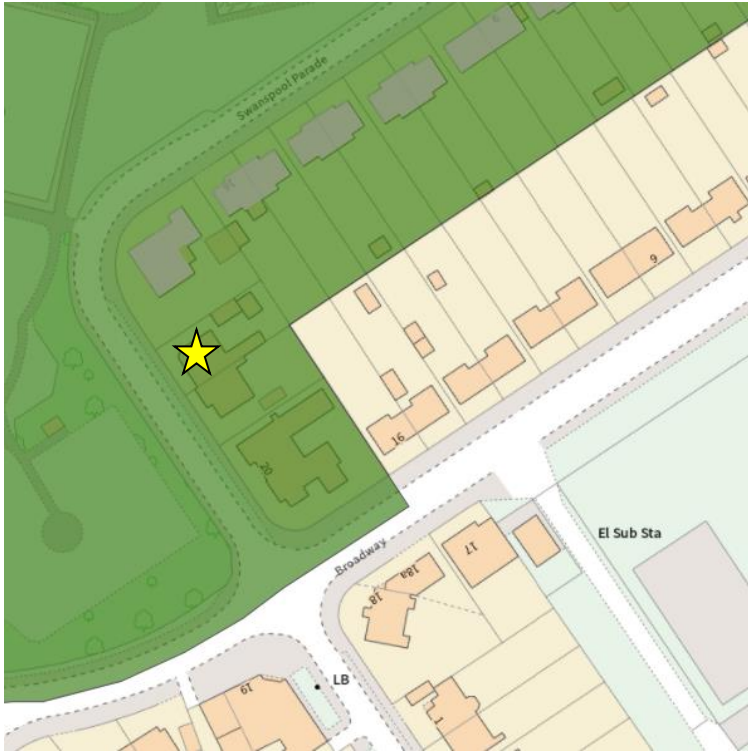
(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

(c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

LOCATION

The property falls within the conservation area and adjacent properties with an article 4 direction.



Extract from ‘in my area’ mapping on the NN web site. Dwelling marked with yellow Asterix. Article 4 properties marked in grey shading.

PLANNING HISTORY

- **WP/20/00660/FUL** – Replacement of softwood window with upvc units and replacement of current window in the rear facing box bay with aluminium bi fold doors. Refused 25 November 2020.

Reason for Refusal

1. The proposed development would be contrary to the aims of policy 2 (a), (b) and (d) of the North Northamptonshire Joint Core Strategy and advice contained within the National Planning Policy Framework with respect to its negative impact on a non-designated heritage asset and the wider Wellingborough Town Centre Conservation Area, as well as policy 8 (d) (i) and (ii) of the North Planning Policy Framework with respect to its impact on the aesthetic appearance of the existing dwelling and character of the surrounding area. In both cases this is a direct result of the inappropriate and insensitive alterations proposed to the building, which would detrimentally impact upon its heritage value.

The reason for the refusal was based on the consultee response from the conservation officer

The property is located within Wellingborough Town Centre Conservation Area and makes a positive contribution to it. The Number 18 and 19 Swanspool Road feature elements of Arts and Crafts style and is identified as a non-designated heritage asset.

I am supportive in principle only of the dropping of the sill to create French doors to the rear elevation that has been proposed, subject to an appropriate design, detailing and materials being specified. UPVC windows and doors are not supported in principle within a conservation area and no justification has been supplied within this application for the loss of the timber windows. Paragraph 194 of the NPPF is therefore relevant here regarding the harm that would be caused to the character and appearance, and therefore the significance of this section of the Conservation Area, without justification being provided. 'Juliet balconies' are not supported within conservation areas in principle. The proposed dropping of the sill and installation of a 'Juliet Balcony' to the street facing elevation is not supported as it would detract from the Arts and Crafts architectural interest of the building, having a detrimental effect on the significance of the non-designated heritage asset, making paragraph 197 of the NPPF also relevance here.

Given the above outlined harm, the proposals would detract from the character and appearance of this section of the Conservation Area, resulting in less than substantial harm to the significance of the Conservation Area making paragraph 196 of the NPPF relevant here.

I am unable to support this application in its current iteration. There may be potential here for the refurbishment of the existing windows or their replacement with high quality timber windows that are sympathetic and appropriate to the host building and the character and appearance of the Conservation Area. The following guidance on window alterations concerning listed buildings and conservation areas may be of relevance to the applicant.

The proposal raises the following main issues:

- conformity with the development plan and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- effect on heritage assets;

The proposed development of replacement windows and doors for an existing property within the town is acceptable in principle, subject to all other policy requirements being met.

The proposed development would be contrary to the aims of policy 2 (a), (b) and (d) of the JCS with respect to its negative impact on a non-designated heritage asset and the wider Town Centre Conservation Area, as well as policy 8 (d) (i) and (ii) of the JCS with respect to its impact on the aesthetic appearance of the existing dwelling and character of the surrounding area. In both cases this is a direct result of the inappropriate and insensitive alterations proposed to the windows. The application is therefore also contrary to the aims of the NPPF with respect to design, character, and impact on designated and non-designated heritage assets.

Analysis of Decision WP/20/00660/FUL and Support of this application.

It would appear that several planning policies are quoted by the conservation officer and some of these may have been applicable to the application and specifically with regard the proposed Juliette balcony window to the front elevation however no legislation appears to exist for replacing timber windows in a residential property in a conservation area other than they should have a similar appearance to the original materials.

The proposal with this application is to replace several of the windows with upvc flush casement windows with timber grain finish and matching appearance to the original timber windows. It also proposed to replace the centre window in the rear facing box bay with aluminium bi fold doors. The principle of this was agreed within the consultee response of application WP/20/00660/FUL.

USE

Existing residential property.

LAYOUT

The layout remains unchanged apart from the addition of bi-fold doors to the rear elevation.

AMOUNT

In total it is proposed to change fourteen existing windows with replacement upvc windows of similar style and appearance. Eleven of these are existing timber units and the other upvc units to a former extension. All the units will be flush fitting casements to match the original timber units and be anthracite grey coloured. The box bay window is proposed to be replaced with aluminium bi-fold doors and side panels. This is indicated on submission drawing 20-061-01.

HIGHWAY MATTERS

Not applicable to this application.

SCALE

Not applicable to this application.

DESIGN

The proposed windows will match the existing sections, glazing bars and sash sizes. They would have the same style and appearance. Further information can be provided as part of a condition release should this be deemed necessary.



Proposed windows will be of same style and appearance.

LEGISLATION

It would appear that often planning legislation is determined on whether the proposed work would as a matter of fact and degree materially affect the external appearance of the building as a whole. If not this is not considered development and does not require specific permission under section 55(2)(a)(ii) on the Act. Section 57 is not engaged, and neither is Section 58, planning permission granted by development order, since the operation does not involve development. It is possible that this application could have been considered under a Certificate of Lawful development but with the inclusion of the aluminium bi-fold doors and the previous Refusal this application has been submitted for determination.

Several Appeal decisions have been allowed for replacement of timber windows with upvc windows in conservation areas. One example is APP/H1033/X/17/3173648.

BUILDING REGULATIONS

It is a requirement the current Building Regulations that every habitable room should have a safe means of escape. The requirement is that the max height to the opening part of the window is 1100mm and that a minimum opening size of 450 x 700mm is provided. The current windows in this property do not meet this requirement. It is possible that if this building was Listed this requirement could be negated, however otherwise when replacing windows they will need to meet this requirement. The windows are in a poor state and beyond economic repair so replacement is the only option. The replacement windows will be provided with opening lights to allow means of escape as indicated on drawing 20-061-01. They will still match the style and appearance of the existing but be legally compliant.

ENVIRONMENTAL

There are no known environmental issues with this application.

LANDSCAPING

Not applicable to this application.

DISTINCTIVE FEATURES

The entrance door and adjacent stain glass window do not form part of this application and are to be retained.

ADAPTABILITY, RESILIENCE AND ENVIRONMENTAL SUSTAINABILITY

The proposed replacement windows would accord with current building regulations Part L1A or better. This would improve the thermal performance of the property and benefit the living conditions of the residents.

DESIGNING OUT CRIME

The new windows would be the secure by design criteria and be to the benefit to the well being of the residents.

FLOOD RISK

Not applicable to this application.

WASTE

Not applicable to this application.

INCLUSIVE ACCESS

Inclusive access is not specifically applicable to this application however the new rear bi fold doors would offer improved ambulant disabled access.

IN SUMMARY

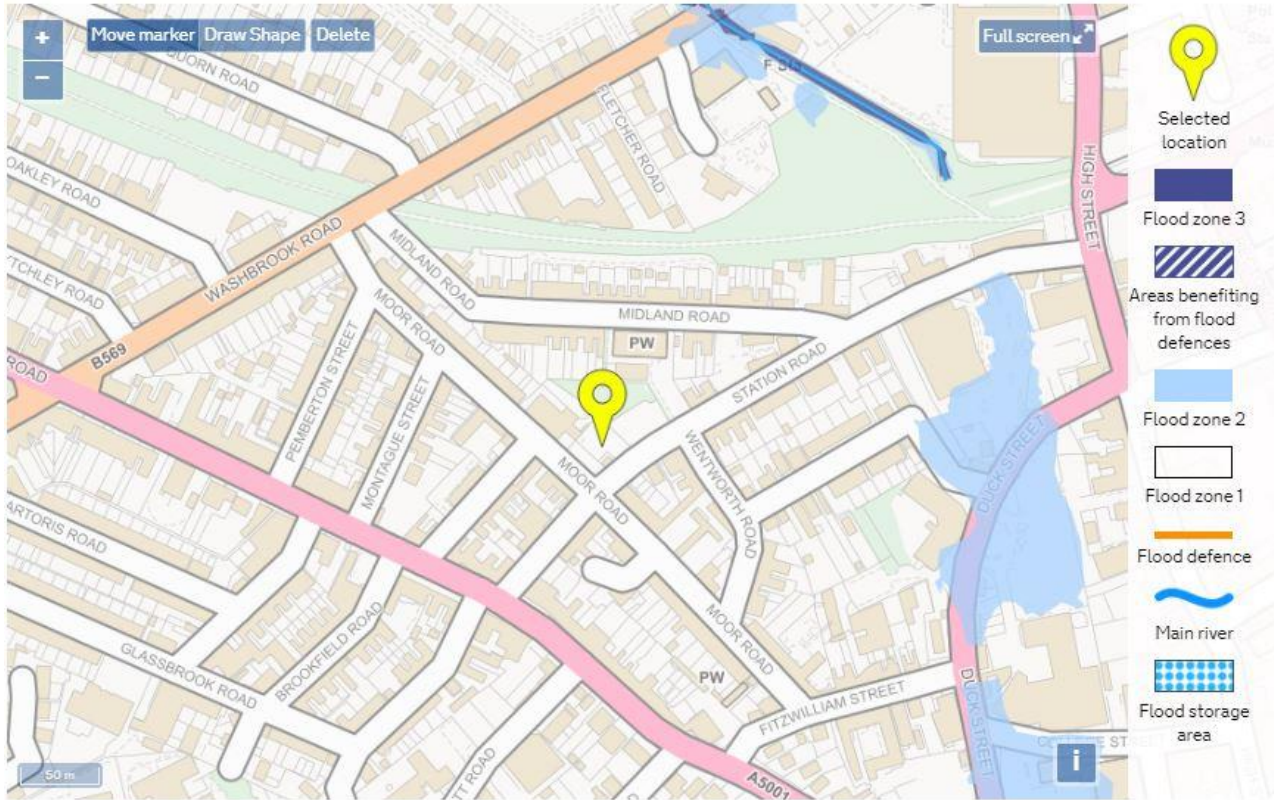
There is a requirement to replace the windows in this property that are in poor condition and that do not meet current Building Regulations for means of escape from habitable rooms. It is suggested that these are replaced with upvc units in matching style and appearance but to include opening lower sashes. The replacement windows are believed to fall within permitted development rights but following a previous refusal a full reapplication has been considered the best option. This would include the proposed aluminium bi fold doors to the rear.

For the reasons stated above and within the supporting submission information we feel that the Local Authority planning department should support this application.

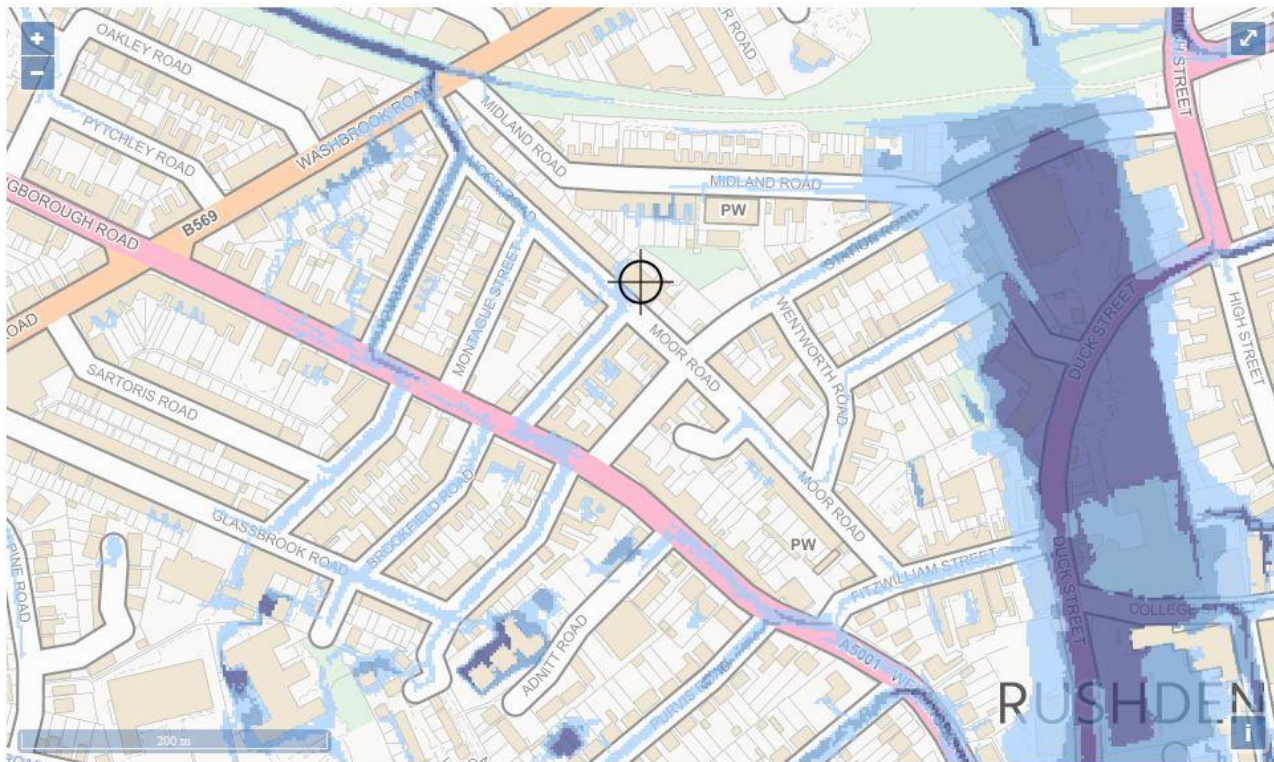
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APPENDIX A

Flood Risk from Rivers & Seas – Flood Zone 1 – No Risk



Surface Water Flood Risk – Very Low Risk



Extent of flooding from surface water

● High
 ● Medium
 ● Low
 Very Low
 ⊕ Location you selected