



Appeal Decision

Site visit made on 23 March 2015

by **Clive Tokley MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 April 2015

Appeal Ref: APP/Q1445/D/15/3003876

4 Challoners Cottages, Falmer Road, Rottingdean, Brighton, BN2 7DU.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Jean Barrett against the decision of Brighton and Hove City Council.
 - The application Ref BH2014/03422 dated 22 October 2014 was refused by notice dated 19 December 2014.
 - The development proposed is the retention of replacement uPVC sash windows at ground and first floor level in the front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of replacement uPVC sash windows at ground and first floor level in the front elevation at 4 Challoners Cottages, Falmer Road, Rottingdean, Brighton, BN2 7DU. The permission is in accordance with the terms of the application Ref BH2014/03422 dated 22 October 2014.

Introduction and main issue

2. The application did not include drawings of the proposed windows in the context of the dwelling and the submitted detailed sections of the structural elements of the windows are of limited value in my assessment of the proposal. The drawings include one illustration of a window but this bears little resemblance to what I saw at the site. The appellant makes it clear that permission is sought to retain the windows that have already been installed and I have therefore disregarded the drawings and determined the appeal on the basis of what I saw at the site, which accords with the photograph submitted by the appellant.
 3. The appellant's "before and after" photographs indicate that the uPVC casements in the front dormer have not been changed and the lengthy detailed description on the application form indicates that the proposal relates only to the ground floor and first floor windows. In the interests of concision and clarity I have amended the short description that appears on the Council's notice of refusal.
 4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Rottingdean Conservation Area (CA).
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Reasons

5. The CA includes the historic core of Rottingdean extending north from the mostly narrow-fronted tightly-knit development around High Street to lower density mainly residential area around The Green and Falmer Road. The appeal property lies close to the northern extremity of the CA and is the southernmost house in a terrace of four dwellings (Challoners Cottages). A narrow side way separates this terrace from the neighbouring terrace (Northgate Cottages) to the south.
6. The four dwellings in Challoners Cottages have different fenestration with numbers 1 and 2 having deeper and wider window openings at ground and first floor with squint reveals and horizontal window heads. This compares with the narrower windows with a vertical emphasis at numbers 3 and 4 which are within square reveals beneath shallow arched heads. The wider openings of Nos 1 and 2 contain shallow bow windows of differing depths. Their small-paned timber casements include top-hung night vents and appear to be relatively modern units.
7. All four of the cottages have front dormer windows; those at numbers 3 and 4 are narrow with pitched roofs and are aligned with the windows below. The dormer at No 3 has timber sashes whereas No 4 has a uPVC unit with a top-hung night vent. The dormer of No 2 is of a similar design to those at Nos 3 and 4 but it is offset from the main windows below. That dormer has front-facing uPVC casements. The dormer at No 1 is much wider than the others and has a flat roof and a front-facing bow window of a similar character to the windows below. Therefore whilst superficially similar there are significant variations in the fenestration of the four cottages.
8. Northgate Cottages to the south share some of the detailing that appears in Challoners Cottages but all appear to have retained timber windows; including a number of examples of locally unusual horizontal sliding sashes. The two terraces have mostly retained their timber windows but I noted a number of examples of uPVC windows in the vicinity within the CA.
9. When seen from the east side of Falmer Road the window surrounds and the meeting rails of the replacement "six over six" small-paned sashes appear to be slightly wider than those at No 3. The nature of their materials of construction is not evident from that range and they appear as a good match for the timber windows at No 3. In the context of the variations within the design and appearance of the windows within the terrace the replacement windows do not appear out of place within the CA.
10. The sashes of the replacement windows are set back in their reveals and when approaching along the roadside pavement from either direction they are not clearly seen. However from the street immediately outside No 4 the depth of the casements and the slider rails become apparent and these contrast with the more simple slimmer elements of the timber windows at No 3. A close examination also reveals the different materials of manufacture.
11. The Council indicates that there is no record of the former uPVC windows but there is no indication that they were unlawful. The photographs submitted by

the appellant provide limited detail but they demonstrate that the previous windows did not share the appearance of those at No 3. In my view the replacements are a much better match that more accurately reflects the character of this part of the CA.

12. Policy HE6 of the Brighton and Hove Local Plan indicates that within conservation areas proposals should exhibit a high standard of design and detailing and adopt materials and finishes that are sympathetic to the area. A footnote indicates that the alteration of the style and detailing of timber sliding sashes will be resisted. In this proposal the style of timber sliding sashes has been reintroduced to the building, albeit using non-traditional materials.

13. I do not disagree with the Council that the use of timber windows would enhance the historic integrity of the CA and this is reflected in the Council's policies and guidance. When seen close up there are clear differences between a uPVC window and a timber window; however in my view the replacement windows represent an improvement in the appearance of the house and the terrace as compared with the previous windows.

Conclusion

14. Taking account of all matters, and in the particular circumstances of this proposal, I have concluded that the uPVC windows that have been installed at ground and first floor level in the front elevation of the house do not detract from the significance of the heritage asset (the CA) and that they at least preserve its character and appearance. I therefore conclude that the appeal should succeed.

Clive Tokley

INSPECTOR

