

4/00954/19/RET	RESTORE AND DOUBLE GLAZE ORIGINAL SASH WINDOWS
Site Address	18 KITSBURY ROAD, BERKHAMSTED, HP4 3EG
Applicant	MR DOUGLAS JARVIS, 18 KITSBURY ROAD
Case Officer	Neil Robertson
Referral to Committee	Due to the contrary views of Berkhamsted Town Council

1. Recommendation

1.1 That planning permission be **GRANTED**

2. Summary

2.1 The principle of replacing the windows in a matching appearance (noting that they are now double-glazed) and painting black grey are considered to be acceptable and not have a significant impact upon the character and appearance of the surrounding conservation area. The painting of the original door green (Pall Mall) is also considered acceptable. The painting of the door case and window surrounds black grey is acceptable. The proposed development therefore complies with the National Planning Policy Framework (2019), Policy CS27 - Quality of the Historic Environment (Core Strategy 2013).

3. Site Description

3.1 The property is a Victorian Terraced house of two storeys constructed in brick with a pitched slate roof and a bay window to the ground floor. It is symmetrical with the neighbouring property. The door and gateway to rear garden is surrounded with a decorative plaster doorcase. It is located within a longer terrace of properties close to the town centre of Berkhamsted.

3.2 The windows in question were two 1/1 (number of window panes in upper / lower sash window) single glazed sash windows and a 3/3 sash to the bay at ground floor level. To the first floor a 3/3 and 2/2 sash window. These windows and the surrounds have been painted RAL 7021 Black Grey and a door repainted Pall Mall (by Little Greene paint Company).

4. Proposal

4.1 Planning permission is sought for retrospective works namely the refurbishment of the windows and replacement of the glazing with double glazing to match the original in material, forms and profile. The painting of the windows, their surrounds and door surround Black Grey and Door Pall Mall.

5. Relevant Planning History

4/03084/14/FHA SINGLE STOREY SIDE/REAR EXTENSION WITH FLATROOF WITH ROOFLIGHTS
Granted
23/12/2014

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

6.2 Adopted Core Strategy –

CS27 - Quality of the Historic Environment

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 120 - Development in Conservation Areas

6.4 Advice Notes and Appraisals

- Conservation Area Character Appraisal for Berkhamsted

7. Constraints

- ARTICLE 4 DIRECTIONS
- CONSERVATION AREA

8. Representations

Consultation responses

8.1 These are reproduced in full at Appendix A

Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

9. Considerations

Main issues

9.1 The main issues to consider are:

- Does the proposal preserve or enhance the character of the Berkhamsted Conservation Area.

Policy and Principle

9.2 The application site is located within a residential area, within the Berkhamsted Conservation Area. The Planning (Listed Buildings and Conservation Areas) Act 1990 states, "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." The House of Lords (in the case South Lakeland District Council versus the Secretary of State for the Environment and another (1992) 1 ALL ER 573) has stated that a conservation area would be preserved even if it was altered by development if the character or appearance was not harmed. The article 4 direction requires that consent is needed for the painting of the exterior of any part of the exterior of a dwelling house facing the highway.

Impact on Conservation Area

9.3 Dacorum's Core Strategy Policies CS27 (Quality of Historic Environment) states that development will favour the conservation of heritage assets.

9.4 The proposal covers two aspects. Firstly, the works to the window and, secondly, the repainting of the windows and the door and associated surround. The windows have been renovated and double-glazed to the original pattern. This can be seen when comparing before images to the now as existing images. The change to the windows is the addition of double glazing units within the frames. The scale, proportion and style of the windows are the same or very similar to what was previously on site. The only minor difference is the depth of the double-glazing, which results in a slight distortion within the glass when viewed at an angle. Overall, having carefully examined the windows, they appear in keeping with the age of the building and the character of the area. The frames and astragals (timber bars separating the panes of glass in the sash window) are appropriately detailed and the changes have preserved the general character of the property. It is considered that these works have not caused harm. Therefore, the works comply with Policy and Guidance.

9.5 The windows, window surrounds and door case have been painted black grey (RAL 7021). We note that previously the windows were painted a bright (brilliant) white colour. Historically the windows would not have been painted this colour, as bright whites were not available until after the Second World War. Instead a cream or ivory colour would have been the closest paint colour to the previous white colour. In addition, there was no consistency of colour to paint windows in this period and various (generally dark) greens, blues, purple browns, reds, blacks and greys were used. For example, Sir John Soanes London townhouse (now the Sir John Soanes Museum) has black painted sash windows where as John Nash's Regents Park (London) original had all the sash windows painted dark brown. As such although the paint colour choice made by the applicant, whilst more unusual as bright whites are now favoured, is not particularly unusual or out of keeping with the character and appearance of the property. Without analysis of the historic paint schemes, it cannot be said what the original paint colour was but it would have been different from the white that previously was on the windows.

9.6 The door has been painted Pall Mall (a green colour). As noted above doors as with windows were generally a variety of different colours. The green that the door has been painted is not out of keeping with the building, or the wider conservation area.

9.7 We note the colour changes and that in particular in relation to the windows and surround the change is somewhat more obvious given that over the post war period white windows. However, this change in colour does not in our view cause harm and

therefore the proposals are not contrary to guidance and policy.

9.8 We note that the Town Council also objected to the development on the grounds that the application is to regularise the works and is retrospective. Whilst it is unfortunate under para 73A of the Planning and Compensation Act 1991 the owner of the property can apply retrospectively for planning permission to regularise a development. A retrospective planning application must be considered on its merits, and any harms assessed, in exactly the same way as an application for proposed development.

10. Conclusions

10.1 Based on the above assessment the proposal would preserve the character of the conservation area. Therefore, it would be compliant with national and local policy and guidance and therefore be acceptable.

11. RECOMMENDATION

That planning permission be **GRANTED** for the reasons referred to above

Conditions

No	Condition
1	No conditions.

Appendix A

Consultation responses

BERKHAMSTED TOWN COUNCIL, THE CIVIC CENTRE	Comment
Objection	This retention application is a breach of Article 4 Direction. The Committee would also urge the Planning Officer to consider the paintwork in order to restore integrity to the street scene.

Appendix B

Neighbour notification/site notice responses

Commenting

BCA Townscape Group	Comments
	I write on behalf of the BCA Townscape Group of which I am Chairman. The Group is pleased with the restoration of the sash windows; but is disappointed at yet another retrospective application for a house in the conservation area and subject to an Article 4 Direction.