

CONSERVATION AREA ADVISORY COMMITTEE

DATE March 29 2016

SUBJECT To outline the extent of traditional/non-traditional windows within the properties along Eastbourne Seafront from 15 South Cliff Avenue to 43 Royal Parade.

REPORT OF Neil Holdsworth Specialist Advisor (Planning)

WARDS All (of particular relevance to Devonshire and Meads Wards.

PURPOSE This report provides a summary of the in-situ window type/material and planning history for the seafront facing properties

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RECOMMENDATION That Members note the content of this report

Background

This report has been compiled at the request of Members of Conservation Area Advisory Committee in order establish a factual baseline for the prevalence of non traditional windows along the seafront.

This baseline data is a material consideration in the determination of future planning and listed building consent applications.

Introduction

1. This survey comprises an analysis of the materials and design of the windows within the buildings along the Eastbourne Seafront. The area of the study follows the boundary of the Town Centre and Seafront Conservation Area, with all properties that directly face on to the seafront surveyed. It seeks to identify and evaluate the extent of alteration that has already taken place to the original timber sash windows in the survey area, and identifies the relevant recent planning decisions by the Council and the planning inspectorate on this matter.

2. The survey was undertaken in November 2015 (area to the east of the Pier) and March 2016 (area to the west of the Pier), based on a visual inspection of the front elevations of the building from street level, and on the basis of a review of property history information held within the Council's electronic record. No internal inspection of any of the buildings was carried out.
3. A total of 66 properties were surveyed. The area of the survey extends from the western boundary of the Town Centre and Seafront Conservation Area at South Cliff Avenue, to the Langham Hotel, 43-49 Royal Parade. This is read as the last traditional hotel building on the eastern seafront, and the end of the seafront promenade. Appendix 1 sets out a description of each property, with comments on the current windows based on the visual survey, and a summary of the relevant planning history for each property. Photos of the relevant buildings are set out in Appendix 2.
4. Within the survey area there are a total of six buildings that are distinctively modern in character and have been clearly identified as such in the schedule in appendix 1. These buildings have windows that are constructed with modern materials, reflecting their original contemporary design. They are excluded from the analysis below, as they are not considered to be relevant to this assessment.
5. Within the survey area there are a total of ten listed buildings, nine of which are grade 2 listed, and two of which are grade 2* listed (numbers 29, 30, 31, 38, 39 and 53, 54, 55, 56, and 57 on the schedule). These are included within the analysis as they make an important contribution to the wider townscape character of the survey area. Any alteration to the windows of these buildings requires listed building consent, which invokes a more stringent regime in respect of any alterations to the properties in question.

Extent of alteration

6. Table 1 below sets out all the buildings within the area and assesses the degree of alteration that has taken place to the buildings in question. A distinction is made between modern UPVC windows, and imitation UPVC sash windows, the latter replicating the design of the original timber windows albeit being made out of UPVC.
7. It can be seen from table 1 that a majority (55%) of buildings along the seafront either have the original timber sash windows or a clear majority of timber windows remaining on their front elevations. This figure rises to 68.5%%, when buildings with replica sash UPVC windows are included in this assessment.

Table 1 – Degree of alteration to buildings within survey area.

Degree of alteration	Unlisted traditional building	Listed building	Total
Original timber windows or like for like timber replacements.	12,16,17,20,22,32,33,40,41,44,45,46,47, (13)	29,38,39,53,54,55,56,57 (8)	21/60 (35%)
A clear majority of timber windows, with some modern PVC replacements	1,24,28,34,35,59,60,61,63,64,65,66 (12)		12/60 (20%)
A mixture of timber and UPVC windows	3,4,11,23, (4)	31 (1)	5/60 (8.5%)
A majority of windows being replica UPVC windows in Sash design	10,21,25,30,42,43,49 (7)	1	8/60 (13.5 %)
A majority of windows being Modern UPVC windows	2,5,6,7,8,13,14,26,37,48,50,51,52,62		14/60 (23%)

8. Furthermore, there is a cluster of buildings with modern UPVC windows at the western extreme of the seafront along South Cliff (numbers 2, 5, 6, 7 and 8 on the property schedule). If the properties on South Cliff are excluded from the analysis (numbers 1-10), the figure of buildings that retain their original window design along the seafront would rise to over 75%.

9. Planning permission is not required for a like for like replacement of timber windows where the materials and design replicates those that it replaces. Eight buildings have modern sash windows which appear to be UPVC in terms of the materials they used, but replicate the original design of the sash windows they replaced. As Table 2 shows, on several occasions such an approach has been authorised by the Council in planning decisions, where a planning application has been submitted in support of the alterations.

Table 2. Planning records for replica UPVC sash windows.

Imitation sash windows	Total number (%)
Planning permission approved	21, 25, 49
Planning permission refused but overturned at appeal	10
No record of planning permission	30, 40, 42, 43, 30

10. Fourteen Buildings are considered to have entirely modern (non-sash design) UPVC windows. In these cases the windows do not retain any traditional features, and the windows have entirely modern features. Of these buildings, only one has been explicitly granted planning permission on the basis of the records that have been reviewed. This is the Landsdowne Hotel (number 13), and the permission for the UPVC windows to be constructed on the front elevation dates back to 1991.
11. In the case of the East Beach Hotel (number 62), the windows that have been installed are not authorised and the Council are currently taking enforcement action to require their replacement with timber sash windows reflecting the original design.
12. The remaining modern PVC windows do not appear to benefit from planning permission. However, under planning law physical alterations to unlisted buildings including the replacement of windows become lawful after a period of four years. It is possible therefore that the windows in question are lawful as a consequence of their age. In the event that the properties are in use as single family dwellings, the installation of modern UPVC windows could have been undertaken under 'permitted development' rights.

Decisions and Precedents

13. The Council have considered the issue of UPVC as a material for window frames on seafront buildings on a number of occasions over the past thirty years, where it has been able to exercise planning control regarding the windows in question. A summary of the key relevant decisions, in chronological order by date, is set out in table 3. The planning history is considered to demonstrate that the Council has taken a generally consistent view towards the issue, with a clear preference towards the retention of either timber sash windows, or UPVC sliding sash replicas.

Conclusions

14. The survey demonstrates that there remains a very clear pattern of traditional window design within the buildings along the seafront of Eastbourne. A significant majority of buildings retain their original sash window design, and over half appeared on the basis of the survey to be made from timber.

Table 3. Key Planning Decisions.

Year	Number	Decision	Comment
1989	West Rocks Hotel	Refusal of proposal for PVC windows	Decision to refuse planning permission for replacement UPVC windows upheld at appeal
1987 – 2001	Landsdowne Hotel.	Approval for replacement UPVC windows at Landsdowne Hotel.	Only partial data available - Officers report from 1999 indicates that replacement windows to this building were originally agreed in 1987.
2000	13 South Cliff	Retrospective permission granted for Modern UPVC window.	Officers report comments that permission was granted as all the other windows on the building had been changed to UPVC at the time of the application.
2003	31 Marine Parade	Permission for replacement UPVC windows granted.	The Council granted permission for UPVC windows in a replica sash style as requested by officers in the course of the application.
2004	Albany Hotel.	Permission granted for retention of PVC replica sash windows.	2004 decision regularised UPVC replacement windows that had been installed at the property.
2010	Chatsworth Hotel	Retrospective application to retain UPVC sash windows at first to third floor level approved.	Application was invited by Council in context of enforcement action. No action was taken regarding the UPVC windows that had been installed at lower ground floor level.
2011	6 South Cliff	Imitation Sash windows refused.	Decision to refuse application for replacement PVC sash windows overturned at appeal.
2013	2-3 South Cliff	Imitation Sash windows refused.	Decision to refuse application for replacement PVC sash windows overturned at appeal.
2014	Claremont Hotel.	Listed building enforcement notice requiring removal of Imitation UPVC windows.	Appeal was dismissed on main issues, inspector found that the UPVC imitation sash windows unacceptable on main frontage of a grade 2* listed building.

15. On the basis of the information reviewed, the planning authority have maintained a consistent position that any replacement windows that are to be installed on the seafront should either be made from timber or in some circumstances UPVC, and in all cases closely replicate the original sliding sash window design. This general position has been supported by the planning inspectorate whenever the matter has been considered at appeal.

Neil Holdsworth
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Appendices

Appendix 1 - Full survey of properties along seafront, including planning history, and comments on existing windows.

Appendix 2 - Pictures of individual buildings along seafront.

Appendix 3 - Key Relevant appeal decisions