

## **DELEGATED APPLICATION REPORT**

**Address:** Nathan Court, Franklin Street

**Application No:** 181872 / FUL

**Proposal:** Replacement of existing painted white timber double glazed casement windows with white PVCu double glazed casements. Colour and fenestration to remain the same.

**Applicant:** Faithorn Farrell Timms

**Date received (valid from):** 29/10/2018

**Target Decision date:** 24/12/2018

**Agreed Extension of Time:** 08/03/2018

**Case officer:** Tom French

### **1. Site description and Surrounding Area**

The application relates to a block of 8 flats at the northern end of Franklin Street. Planning permission for the Nathan Court flats was granted on 30/10/1996. The application building is brick built with a slate tiled roof.

The application site is located within the Russel Street / Castle Hill Conservation Area.

The application building is not listed.

### **2. The Proposal**

Planning permission is sought to replace the existing timber framed windows with uPVC windows. The proposed windows would be of the same style, scale and design as the existing timber framed windows.

### **3. Consultation**

Neighbours consultation:

No.s 1 & 7 Franklin Street, 1a Goldsmid Road, Flats A, B, C & D of 6 Russell Street, Flats 1, 2, 3 & 4 of 8 Russell Street, Flats 1, 2, 3 & 4 of 10 Russell Street, Flats 1, 2 & 3 of 12 Russell Street and Flats 1, 2, 3 & 4 of 14 Russell Street have been notified of the application and a site notice has also been displayed at the site. No responses have been received.

The Conservation Area Advisory Committee was consulted on the application. No response has been received.

The RBC Heritage Consultant provided the following response:

Object to replacement of the timber windows within the building as would not 'preserve or enhance the character or appearance of the area.'

#### **4. Plans and Documents Considered**

The Council, in reaching its recommendation, has taken into consideration the following plans & documents:

Drawing No.:

- Design and Access Statement for 1-8 Nathan Court Franklin Street Reading RG1 7YY
- 1 - Location and Block Plan
- 2 - Existing Layout and Elevation Views A and B
- 3 - Existing Layout and Elevation View C and D
- 4 - Proposed Layout and Elevation Views A and B
- 5 - Proposed Layout and Elevation Views C and D
- 6 - Window Schedule

As received: 30/10/2018

#### **5. Relevant Planning History**

950415 - FUL - 8 two bed flats with parking - Application Permitted

950518 - CON - Demolition of existing building - Application Permitted

#### **6. Equality Act 2010:**

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

#### **7. Relevant Planning Guidance**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Local Development Framework '*Core Strategy*' 2008 (Altered 2015) and '*Sites and Detailed Policies Document*' 2012 (Altered 2015).

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority in the exercise of its functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

The '*National Planning Policy framework*' ('NPPF') 2012 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due weight should be given to the adopted policies of the Local Development Framework (LDF) (Core Strategy and Sites and Detailed Policies Document) according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

## **8. Relevant Policies**

The application has been assessed against the following policies:

### **National**

National Planning Policy Framework;  
National Planning Policy Guidance;

### **RBC Local Development Framework**

#### **Core Strategy 2008 (Altered 2015)**

CS7 Design and the Public Realm  
CS33 Protection and Enhancement of the Historic Environment

#### **Sites and Detailed Policies Document 2012 (Altered 2015)**

DM4 Safeguarding Amenity

## **9. Appraisal**

The main issues to be considered are:

- Impact on the host building and surrounding area
- Impact on neighbouring amenity

### **Impact on the host building and surrounding area**

The size, design and colour of the proposed windows are the same as the existing. Therefore despite being of a different material, it is considered that the replacement uPVC windows would not have any significant detrimental impact upon the design or character of the host dwelling.

Whilst not listed, the application site is within the Russell Street / Castle Hill conservation area. Section 72(1) of the Planning (Listed Building and Conservation Area Act) 1990 requires that: 'with respect of any building 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'. This is consistent with Policy CS7 that states 'All development must be of high design quality that maintains and enhances the character and appearance

of the area of Reading in which it is located'. Further Policy CS33 directs that 'Planning permission will only be granted where development has no adverse impact on historic assets and their setting. All proposals will be expected to protect and where appropriate enhance the character and appearance of the area in which they are located' and that 'In making decisions on development proposals in Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that particular area'.

The application building is relatively modern (see Relevant Planning History above) and is a prominent feature in the street scenes along both Franklin Street and Goldsmid Road. There are numerous examples of uPVC windows along Franklin Street and Goldsmid Road and as such the proposal would not be introducing a new material into the street scene and is not considered to be significantly out of character of with the surrounding area or wider conservation area given the matching style and colour.

As the proposed windows frames would be the same dimensions, colour and sited in the same place as the existing, and given the existing predominance of uPVC windows in the general vicinity; it is not considered in this specific instance that the installation of uPVC window frames would be significantly harmful to the character of the surrounding area or wider conservation area to warrant the refusal of this application.

The proposed development therefore accords with Policy CS7 and CS33.

#### Impact on neighbouring amenity

It is proposed to replace the existing timber framed windows with uPVC windows of the same size, design and in the same location. No additional windows are proposed. As such it is considered that the proposed development would not alter the existing relationship between the application property and neighbouring buildings and would not have any detrimental impact on neighbouring amenity.

The proposal accords with Policy DM4.

#### Other Issues

##### Community Infrastructure Levy

The proposal would not be liable for the Community Infrastructure Levy (CIL).

## **10. Recommendation**

**Grant** planning permission, subject to the following conditions:

#### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission was granted.

Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of this development shall be:

Windows:

Double glazed windows in white uPVC frames.

as shown on the approved plans or documents.

Reason: in the interests of ensuring that the new development appears in keeping with the existing building or surrounding area in accordance with Policy CS7.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No.:

- 1 - Location and Block Plan
- 4 - Proposed Layout and Elevation Views A and B
- 5 - Proposed Layout and Elevation Views C and D
- 6 - Window Schedule

As received: 30/10/2018

Reason: because permission is granted in respect of the development as detailed in the approved plans only.

### **Informatives**

1. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
2. The applicant's attention is drawn to Building Regulations requirements. Please contact Building Control on 0118 937 2449 for advice.
3. The construction (and demolition) of the development will be subject to environmental health law and the applicant is referred to:  
<http://beta.reading.gov.uk/environmentalprotection>

The decision to grant planning permission follows the positive and proactive consideration of the issues raised by this planning application and issuing the decision within the statutory time period.