

Allerdale Borough Council

Delegated Planning Application

Reference No: 2/2017/0030

Valid Date: 03/03/2017

Location: 12A
Criffel Street
Silloth
Wigton

Applicant: Mr F Halkett

Drawing Numbers: PL-01 - Proposed roof light windows
PL-02 - Window measurements from roof light
PL-03 - Proposed location
PL-04 - Proposed first floor window details
PL-05 - Proposed second floor window details
PL-06 - Proposed measurements for first and second window□□

Proposed Development: Retrospective application for replacement windows and installation of 2no roof lights

Recommendation: **REFUSE**

Summary/Key Issues

Issue	Conclusion
Windows	UPVC sliding sash windows have already been accepted as an appropriate form of development within the terrace.
Roof Lights	The roof lights would introduce a feature which would be harmful to the character of the designated area and heritage assets as they would break up the existing uninterrupted roof slope on this prominent terrace within the town.

Site

The application site comprises a three storey building situated in Silloth's Conservation Area.

The building currently houses a retail unit to the ground floor with residential accommodation to the upper floors. The upper floors are subject to the current

application.

The application property is situated on a main thoroughfare through the town, fronting onto the towns large green and promenade/ sea beyond.

Proposal

The proposal involves the replacement of the existing timber sash windows to the front elevation at first and second floor level with UPVC sliding sash windows. The applicant also seeks consent for the insertion of 2 no. roof lights within the principal roof slope.

The application is retrospective.

Relevant Policies

National Planning Policy Framework

Chapter 7 - Requiring good design

Chapter 12 - Conserving and enhancing the historic environment

Allerdale Local Plan (Part 1) July 2014

Policy DM15 - Extensions and alterations to existing buildings and properties

Policy S2 - Sustainable development principles

Policy S27 - Heritage Assets

Policy S32 - Safeguarding amenity

Relevant Planning History

2/2010/0956 – Replace existing windows with double glazing sliding sash white uPVC at 14A Criffel Street, Silloth – Approved 05/01/11

2/2011/0560 – Replacement of timber windows to first and second floor elevation with PVC sliding sash at 14 Criffel Street, Silloth – Approved 06/09/11

2/2012/0638 – Replacement of 7 no. timber windows to ground floor with upvc windows at The Criffel Inn, Criffel Street, Silloth – Approved 27/11/12

2/2013/0253 – Replacement of 5 fixed pane windows to ground floor with upvc at The Criffel Street, Silloth – Approved 30/05/13

Representations

Town Council – Recommend approval

Highways – No objections

The application has been advertised on site and in the press. Neighbouring properties have been notified. One letter of objection has been received in relation to the proposal raising concerns that they were advised at a neighbouring property that roof lights would

not be permitted and that the proposed windows are budget windows and that the applicant has proceeded without planning permission.

Assessment

The application property is a three storey mid terraced dwelling forming part of a block of properties fronting onto Silloth town green and within Silloth's Conservation Area. The properties comprise of retail units to the ground floor with flats/ maisonettes in the upper floors.

The block is particularly characterful given its height, slate roof, sash windows, chimneys and mouldings. The block is adjacent to the Grade II Listed Christ Church and a block of similar styled terraced properties which are lower in height being only two storeys. The combination of the attractive architectural features of these buildings offers appealing views of the town when viewed from the green and promenade beyond. These compliment the notable features of Criffel Street including the wide tree lined street and pavement as well as the cobbled road. This part of Silloth therefore makes a significant and strong contribution to the character of the Conservation Area and the appeal of the town itself.

The terraced block in which the application property sits have had a number of alterations to the windows and openings. This has resulted in UPVC sliding sash windows already being established as a feature of the block within the principal elevation at first and second floor level. As the use of this material has already been accepted within other properties along the terrace, the design is traditional and the window openings are of a size that can suitably accommodate the heavier proportions of a UPVC window without significant harm to the character of the building, this element of the proposal is considered an acceptable form of development within this block.

The applicant also proposes the installation of 2 no. roof lights within the roof slope of the property. The information submitted with the application indicates these windows measure 560mm x 1190mm and protrude 45mm above the roof slope. These roof lights are currently in place.

The roof of the terraced block is particularly prominent, being significantly higher than the adjacent terraced block and main church building. The slate roof with hipped corners makes a significant contribution to the character of this part of the town and Conservation Area. The block and roof slope can be seen from numerous wide ranging views along the green and promenade as well as from Criffel Street and therefore forms a strong heritage feature within this part of the town.

The applicant's proposal would interrupt the current unspoilt slate roof slope with the introduction of protruding roof lights.

Chapter 12 of the National Planning Policy Framework indicates that new development should make a positive contribution to local character and distinctiveness, recognising the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality. Paragraph 133 of this chapter also states that where a proposal will lead to substantial harm to or total loss of significance of a

designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Policies S2, S27, S32 and DM15 of the Allerdale Local Plan (Part 1) July 2014 look to conserve and enhance the diversity and distinctiveness of towns, villages and landscapes including the character, appearance and significance of Heritage Assets. Policy S27 indicates that only proposals which do not harm the positive qualities of heritage assets will be approved, unless there is a clear and convincing public benefit to the proposal that will outweigh the harm caused to the asset. Policies S32 and DM15 state that proposals will not be supported where they would result in a detrimental effect on the local area in terms of visual amenity, distinctive character or environmental quality or which fail to achieve a satisfactory visual and architectural relationship with adjoining development and/or the character of the area.

It is considered that the applicant's proposal to insert roof lights into the principal slate roof slope of the application property and prominent terraced block would have an adverse visual impact upon the distinctive character of this group of properties and the setting of this important part of the Conservation Area. Whilst it is recognised that roof lights have been inserted on other terraced blocks along Criffel Street, this block has retained the uninterrupted slate covering and its prominence is such that the insertion of roof lights into the roof would harm the contribution this feature makes to the town, Conservation Area and setting of the adjacent Listed Building.

The addition of the roof lights introduces a feature which would jar with the existing flat matt finish of the roof slate, breaking up the existing architecture and harming the positive contribution this makes to the setting of the Conservation Area and adjacent nearby Listed Building. It is therefore considered that this element of the proposal would have a detrimental effect on the character and distinctiveness of the building, terraced block and the surroundings. The proposal would therefore fail to achieve a satisfactory visual and architectural relationship with the surroundings and would harm the positive qualities and character of the area. In turn, this element would be harmful to the setting of and wider views of Christ Church which is Grade II Listed. The applicant has not submitted details of any public benefits to mitigate the harm to the designated area or this heritage asset.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that: "In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

The council therefore has a duty to have a special regard on developments which may affect the character or setting of a heritage asset. Officers have accounted for this as part of their assessment.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act the proposal would not result in any local financial benefits.

Conclusion

Whilst it is accepted that UPVC sliding sash windows have already been accepted as an appropriate form of development within the terrace, the proposed roof lights would introduce an obtrusive feature within the prominent and otherwise uninterrupted roof slope. The roof slope is considered to make a significant contribution to the distinctiveness of the town, setting of the Conservation Area and setting of the adjacent Grade II Listed Christ Church. The introduction of roof lights would fail to conserve and enhance this feature and this part of the Silloth. The proposal is therefore considered contrary to the policies of the National Planning Policy Framework and Allerdale's Local Plan (Part 1) July 2014.

The application is recommended for refusal.

Annex 1

Reasons for Refusal

The proposed roof lights would introduce a feature incompatible with the character of the building, terraced block, Conservation Area and the setting of the adjacent Grade II Listed Christ Church and would have a detrimental effect upon the designated area and these heritage assets. The applicant has not submitted details of any public benefits to outweigh this loss. The proposal is considered contrary to Chapters 7 and 12 of the National Planning Policy Framework and Policies S2, S27, S32 and DM15 of the Allerdale Local Plan (Part 1) July 2014.

Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of planning policies, constraints, stakeholder representations and concerns with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

Notes to Applicant:

Case Officer Signature		Date	
Counter Signing Officer		Date	