



**CONWY COUNTY BOROUGH COUNCIL –
CONSERVATION AND REGENERATION SECTION
REGULATORY SERVICES**

**STATEMENT ON ACTIONS IN CONNECTION WITH THE
INSTALLATION OF PVCU WINDOWS IN CONSERVATION AREAS
(20.10.12)**

- Earlier this year the Council agreed to the adoption of a managed approach to all 24 Conservation Areas in its area. Surveys of the majority of Conservation Areas have been carried out and these have revealed that many changes to historic buildings have taken place and this has had a damaging effect on their special character. Many of these alterations have occurred without consent.
- The long term aim of the strategy is to keep historic areas special and distinctive and maintain them as places that stand out because of their historic appearance. Many areas also have a commercial function and are important in community terms. In cases like Llandudno and Conwy their historic interest makes a significant contribution to their attractiveness as visitor destinations. They play a particularly important role in maintaining the prosperity of the local and regional economy. All Conservation Areas contribute to the cultural interest and identity of the area.
- Over the last few years the Council have either been informed of inappropriate changes by way of complaints received or officers have identified these works. There are several other instances where inappropriate works have been carried out to historic buildings that have remained unreported to the Council. The Council have a responsibility to investigate these cases thoroughly.
- They must firstly identify whether the works did require consent and secondly whether it is expedient to carry out any remedial action. There are some cases where breaches may be considered acceptable either as they stand or with minor revisions. In these cases owners may submit applications to obtain permission retrospectively. In other cases the replacement of unauthorised windows and doors with historic features may be required to restore the special character and appearance of the building and that part of the Conservation Area. As the strategy progresses there is a greater likelihood that further infringements come to light as owners draw the attention of the local planning authority to other examples in their area.

- The Council are aware that a significant number of unauthorised alterations have occurred over the last 10 – 15 years. Very few of these alterations comprising the installation of modern replacement windows (including PVCu. replacements) have been formally approved. There are therefore a considerable number of these cases in conservation areas such as Llandudno. Systematic surveys of properties within Conservation areas are presently being carried out, beginning with Llandudno. These will gather information on the status of each property, (whether for instance they are listed or not) precisely when work occurred and whether any consents were granted. All these aspects will be important in deciding the type of remedial action to be taken in each case. The Council are keen to consider each case very carefully to ensure that the circumstances of each individual property is properly considered.
- Although the Council have an aim of moving in the long run of maintaining and, if possible, enhancing the special character of its Conservation Areas it is also aware of the current economic circumstances that are pressurising businesses and households. Consequently there is a need to avoid a blanket enforcement approach to the installation of inappropriate windows. Government advice is to take all circumstances into account when considering breaches; to discuss and where possible negotiate agreed remedies with owners and to turn to the service of enforcement notices as a last resort. The Council are keen to follow these principles and to turn to the service of enforcement notices as a last resort or to avoid immunity through the passage of time.
- Formal consent is required by law for the replacement of existing windows in a listed building with modern windows of a different style and made of a different material. Consent is also required for this type of window replacement in certain unlisted buildings. These include any building that is used for a mixture of commercial purposes for instance shops with flats, offices or apartments. There are permitted development rights for single dwelling units.
- The Council is establishing a consistent approach towards the future management and in relation to a range of alterations that affect the character of our designated areas. This approach involves preparing a Management Plan for each of the 24 Conservation Areas. Llandudno has been chosen as the first area to have a Plan.
- A Local Stakeholder Group will be formed, comprising representatives of businesses, residents and organisations from the area to be involved in the formulation of the plan. The Planning Authority is continuing to look at cases of alterations to properties and this process will involve prioritising those works that have affected important unlisted or listed buildings. Cases where more recent work has occurred will be considered in the first instance.
- The Council have approved a Position Statement, giving advice to anyone who is considering undertaking new work. This Position Statement and other advice on conservation areas is available on the Planning/Conservation website.

- The Authority will look seriously upon any new infringements and will look to instigate Enforcement action against any new unauthorised works. If any owners are considering the replacement of windows/doors etc., they should speak to the Planning Department prior to commencement of this type of work.
- There have been several recent cases within conservation areas, including cases in the towns of Conwy and Llandudno, where enforcement notices have needed to be served. These are cases where breaches have been brought to the Council's attention and formal enforcement action has followed discussions with property owners or where appeal mechanisms have been exhausted. In other cases a formal notice may be the only way to resolve an issue relating to unauthorised alterations before restrictions apply that prohibit further action. In most cases discussions and correspondence between the Council and owners has proceeded for weeks or months prior to the service of the notice. There is a right of appeal against this document. Notices requirements must be sound, justified and based on consistent principles.
- If anyone needs advice on any of the above matters please do not hesitate to contact Huw Davies, Senior Conservation Officer, Conwy County Borough Council, Regulatory Services, Civic Offices, Colwyn Bay LL29 8AR.

SUMMARY

The Council have established a long term strategy to protect and enhance the special historic character of all 24 of its conservation areas. Llandudno is one of the finest historic places in Wales and the Council have identified this area as a priority. Many unauthorised alterations have occurred in Llandudno and other Conservation Areas and the Council recognise that they must engage with local businesses and others to create an overall plan for restoration of the area that acknowledges current circumstances and pressures. The actions to remedy unauthorised alterations are likely to take many years to complete in some cases due to the need to take the circumstances of individual cases into account and to tailor remedies to fit each case.

Further advice/information can be found on Conwy County Borough Council's website www.conwy.gov.uk/conservation

- ***To illustrate the policy background to this issue please find extracts of Government Guidance appended to this Statement***

PLANNING POLICY WALES

“OBJECTIVES

6.1.1 It is important that the historic environment - encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes is protected. The Assembly Government’s objectives in this field are to:

- preserve or enhance the historic environment, recognising its contribution to economic vitality and culture, civic pride and the quality of life, and its importance as a resource for future generations; and specifically to
- protect archaeological remains, which are a finite and non-renewable resource, part of the historical and cultural identity of Wales, and valuable both for their own sake and for their role in education, leisure and the economy, particularly tourism;
- ensure that the character of historic buildings is safeguarded from alterations, extensions or demolition that would compromise a building’s special architectural and historic interest; and to
- ensure that conservation areas are protected or enhanced, while at the same time remaining alive and prosperous, avoiding unnecessarily detailed controls over businesses and householders.

6.3.2 Local planning authorities are required to formulate and publish proposals for the preservation or enhancement of conservation areas. The positive management of conservation areas is necessary if their character or appearance is to be protected and enhanced. Authorities should establish consistent criteria against which existing and/or new conservation areas and their boundaries should be reviewed. Cancellation of designation should be considered where an area, or part of an area, is no longer considered to possess the special interest which led to its designation.

6.5.9 Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.

6.5.11 Planning authorities must, unless directed otherwise, notify the Assembly Government before listed building consent is granted. Once a building is listed (or is the subject of a building preservation notice) consent is required for its total or partial demolition and for any works of alteration or extension which would affect its character as a building of special architectural or historic interest. Controls apply to all works, both external and internal, that would affect a building’s special interest.

- 6.5.17 Should any proposed development conflict with the objective of preserving or enhancing the character or appearance of a conservation area, or its setting, there will be a strong presumption against the grant of planning permission. In exceptional cases the presumption may be overridden in favour of development deemed desirable on the grounds of some other public interest. The Courts have held that the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed."

**CIRCULAR 61/96 PLANNING AND THE HISTORIC ENVIRONMENT:
HISTORIC BUILDINGS AND CONSERVATION AREAS**

- The Appendix to Annex D Paragraph 12 of Circular 61/96 states:-

"Alterations in Detail

1. In considering applications for listed building consent the following points should be borne in mind:

(d) Windows

1. As a rule, original windows in historic buildings should be repaired, or if totally beyond repair should be replaced exactly like-for like. If listed building consent is to be given for new windows it is important that their design, scale and proportion should be sympathetic to the existing character of the building.
2. Within the broad window types such as 'sash' or 'casement' there is a wide variation of detail according to date, function and area. Standardisation to one pattern should be avoided. The thickness and moulding of glazing bars, the size and arrangement of panes and other details should be appropriate to the date of the building or when the window aperture was made.
3. If a building has had replacement windows, there is always a desire to return to the original glazing pattern. In general the surviving windows should be retained, unless they are obviously inappropriate or in very poor condition. There may be some cases, particularly in uniform urban terraces, where a return to earlier glazing patterns following a specific local pattern is desirable.
9. Sash windows, and most casements, of the Georgian and Victorian periods were invariably finished with paint. On no account should paint be stripped from old windows in order to expose permanently the bare wood. Such action is not only historically and visually inaccurate, but also removes the necessary protection afforded to the

timber by the paint. Whether repairing one of these windows, or providing a replacement window, or even installing windows in a new extension, the use of painted timber will assist in safeguarding the character of the building. Staining is not a traditional finish and should not normally be used.

11. Replacement Windows: Windows form one of the most significant constructional elements of any building, and their style and proportion vitally affect the character and appearance of elevations. In Wales this is particularly true of the period from 1750 to 1850, when the architectural fashion was for restrained simplicity and windows were the dominant feature in otherwise plain facades. The detailing of replacement windows is crucial to the sympathetic conservation of the vernacular buildings that constitute such a rich part of the Welsh architectural heritage”.

12. In this context, the insertion of factory-made standard windows of all kinds whether in timber, aluminium, galvanised steel or plastic, is almost always damaging to the character and appearance of historic buildings. In particular, for reasons of strength, the thickness of frame members tends to be greater in plastic or aluminium windows than in traditional timber ones, and is rarely acceptable in listed buildings. Modern casements with top-opening or louvered lights, or asymmetrically-spaced lights, are generally unsuitable as replacements for windows in historic buildings, as are modern details such as storm-proofing and trickle vents. Such alterations should be resisted. Drawings and specifications submitted with listed building consent application should make perfectly clear the manner in which new windows are intended to open.

13. It is usually impossible to install double-glazed sealed units in existing frames or to replicate existing frames with new sealed units without making drastic changes to the shape or proportions of glazing bars. Weather-stripping and draught-proofing are thermally efficient and cost-effective alternatives, and do not require alterations to the window itself. In other cases secondary glazing in a removable inner frame is another alternative.”



The inappropriate use and mixed styles of PVCu windows disrupts the street scene which give this terrace an uncared for appearance



Traditional windows, doors and consistent styles (some with secondary glazing) give a more pleasing appearance to the street scene and adds to the character of an area – Individual terraces adopt their own style of window