

PLANNING STATEMENT

Proposed Replacement of Windows and Front Entrance Door

53 The Grange, Hurstpierpoint, West Sussex, BN6 9FD

Introduction

This Planning Statement is submitted in support of a householder planning application for the replacement of all windows and the front entrance door at 53 The Grange, Hurstpierpoint, West Sussex, BN6 9FD.

The application is accompanied by the completed application form, a location plan at 1:1250, existing elevations, proposed elevations, a technical schedule and quotation prepared by Instant Windows and Doors Ltd setting out the specification of each replacement unit, and photographs of the surrounding area referred to in this statement.

The proposal comprises the removal of the existing white PVC windows and front entrance door and their replacement with anthracite grey PVC triple glazed casement windows and an anthracite grey composite front door. Every replacement unit is installed within its existing structural opening. No opening is enlarged, reduced, repositioned or created, no structural alterations are proposed, and the form, massing, footprint and roof of the dwelling remain entirely unchanged. The window configurations, opening patterns and proportions replicate those of the existing units.

The only change to the external appearance of the dwelling is therefore the colour of the window and door frames.

Background to the Application

An application for a Lawful Development Certificate for a Proposed Use or Development, reference DM/26/1441, was submitted to Mid Sussex District Council in respect of these works. In considering that application the Council accepted that the replacement of windows and doors in a dwellinghouse falls within Class A of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and that permitted development rights are available at this address following the deletion of Condition 22 under decision DM/21/2246.

The Council took the view, however, that the change of frame colour from white to anthracite grey would not satisfy the condition at paragraph A.3(a), which requires that the materials used in any exterior work be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. Since a certificate application cannot be amended once submitted, it was withdrawn.

Site Description

The application site is a three-storey residential dwelling of brick construction with a tiled pitched roof and a flat roof element to the rear. It is situated within The Grange, a residential estate on the western edge of Hurstpierpoint developed by Persimmon Homes under planning permission 04/02331/FUL, comprising properties numbered 1 to 66 accessed from Albourne Road.

The estate dates from the mid 2000s and is of conventional volume housebuilder design. It has no particular architectural distinction, the existing fenestration is standard white PVC of no architectural or historic interest, and no unified external palette is secured by any planning condition enforceable by the Council.

The property is not a listed building and does not lie within a conservation area. The nearest designation is the Langton Conservation Area, designated in February 1999 to include Langton Lane and part of Albourne Road, which lies approximately 150 metres to the west with intervening trees and residential development. The nearest listed building is Box House Farmhouse, Grade II, approximately 100 metres to the east, again with intervening development. Neither designation would be affected by the replacement of windows and a door within existing openings on a property outside the designated area.

The site is not within the South Downs National Park, is not covered by an Article 4 Direction, and contains no protected trees affected by the proposal.

Relevant Planning History

04/02331/FUL, original estate permission

Planning permission was granted for the residential development at The Grange. The permission included Condition 22, which removed permitted development rights from all dwellings within the estate, requiring residents to seek separate planning permission for even minor domestic alterations.

DM/20/3570, non material amendment at 53 The Grange, dated 14 October 2020

A non material amendment was approved in respect of this property, replacing a proposed balcony with two rooflights. The Local Planning Authority has therefore previously accepted a change to the external appearance of this dwelling without material harm to the character of the building or its surroundings.

DM/21/2246, removal of Condition 22, dated 24 September 2021

Mid Sussex District Council granted permission for the removal of Condition 22, restoring permitted development rights to properties at The Grange. In doing so the Council accepted that the blanket restriction was no longer necessary, reasonable or proportionate, given that the estate is not in a sensitive location, its density is modest, and the standard controls within the Order provide sufficient regulation over domestic alterations. That conclusion is a material consideration of direct relevance here. The Council has already determined that the external appearance of dwellings on this estate does not require control beyond the ordinary statutory framework.

The Proposed Development

The proposal comprises the replacement of eight windows and the front entrance door. All windows are Linar casement units in anthracite grey PVC, triple glazed with toughened glass and a black spacer, with chamfered frames, sashes and beads and a 150mm cill, serving the kitchen, two bedrooms, the master bedroom, the office, the bathroom and the cloakroom. Profile trickle vents are incorporated throughout in accordance with Part F of the Building Regulations. Obscure satin glazing is specified to the bathroom and cloakroom windows, reflecting the existing arrangement.

The front door is a Universal composite door finished in anthracite grey to match the windows, with toughened satin glazing, a round bar handle, a nickel euro cylinder lock, black butt hinges and a brushed silver letterplate. The door is installed within the existing opening.

The proposed elevations, drawings P01 to P04, confirm that every new unit sits within an existing opening, that no new openings are created, that the glazing bar and opening light arrangements match the existing, and that the form, massing and proportions of the building remain unchanged. Drawings E01 to E04 record the existing condition for comparison.

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Mid Sussex District Plan 2014 to 2031, adopted March 2018, the Mid Sussex Site Allocations Development Plan Document and the made Hurstpierpoint and Sayers Common Neighbourhood Plan. The Mid Sussex Design Guide Supplementary Planning Document is a further material consideration, as is the National Planning Policy Framework.

Policy DP26, Character and Design, is the principal policy against which the proposal falls to be assessed. It requires development to be of high-quality design and to respond to the character of the site and its surroundings, having regard among other things to the materials and finishes used. The proposal makes no change to scale or built form and involves a change of finish only.

Policy DP39, Sustainable Design and Construction, supports measures that improve the energy efficiency of the existing building stock. The replacement of ageing units with triple glazing will materially reduce heat loss from the dwelling.

Section 12 of the National Planning Policy Framework seeks well designed places that are sympathetic to local character, while making clear that design policies should not stifle appropriate innovation or change and that permission should be refused for development that is not well designed. Section 14 supports improvements to the energy efficiency of existing buildings. The Mid Sussex Design Guide is directed principally at new development and does not prescribe a window frame colour for existing estate housing of this type.

Assessment

No change to form, scale or fenestration pattern

The replacements are contained wholly within the existing openings. The established rhythm and hierarchy of the elevations, the proportion of solid to void and the profile of each unit are unaltered. The proposal introduces no new element to the building and removes none. Viewed in the street scene the outline of the building is indistinguishable from its present appearance, and the only perceptible difference is the colour of the frames.

Anthracite grey is an established and unremarkable finish in this area

Anthracite grey is a standard, widely specified contemporary finish for PVC and composite fenestration and is in common use across residential development in Mid Sussex and more widely, on both modern and older properties. It is a recessive colour. It sits back within the reveal and is read as part of the shadow of the opening, in much the same way as the glazing itself, whereas white frames contrast strongly against red brick and draw the eye. Against a brick and tile dwelling of modern construction it appears entirely conventional, and the change would if anything make the fenestration less prominent in the street scene rather than more.

The dwelling has no historic fenestration to be lost, and no architectural interest attaches to the existing white frames.

The Council has accepted a darker finish within the conservation area itself

At Ladymead, Albourne Road, approximately 200 metres from the application site and within the Langton Conservation Area, planning permission was granted under reference DM/24/0845 for the conversion of the former care home. The submitted planning statement confirmed that all windows and doors were to be replaced in new black aluminium. Hurstpierpoint and Sayers Common Parish Council supported the application and recorded that the redevelopment was carried out in a manner sympathetic to the conservation area.

Littlemead, also on Albourne Road and also within the conservation area, similarly displays dark grey framed windows to its principal elevation, as shown in the photographs accompanying this statement.

The significance of these examples is that both properties lie inside the designated area, where the statutory duty to pay special attention to preserving or enhancing character and appearance applies, and where both buildings are of a traditional character to which a dark modern frame might be thought less obviously suited. The Council was satisfied in those cases that dark framed replacement windows and doors caused no harm. The present application concerns a property to which no such duty attaches, on a modern estate of no heritage sensitivity, and proposes a lighter finish than the black already accepted nearby. If a darker treatment is acceptable within the conservation area, a lighter one cannot be found harmful outside it.

The relationship with permitted development

The applicant is able, without any further permission, to remove all of the existing windows and the front door and replace them with new triple glazed units of an equivalent specification in white or another finish of similar appearance, including the alteration of the internal glazing bar arrangement and the addition of trickle vents. That is a genuine and readily implementable fallback position, and it is one the Council itself has accepted is available at this address.

The consequence is that the scope of what is properly at issue in this application is narrow. The replacement of the units, the change to triple glazing and the resulting change in the appearance of the glass and frames in profile terms may all be carried out as of right. The only matter for the Council to weigh is the difference between a white frame and an anthracite grey one. Given that the substantial part of the visual change associated with these works could take place lawfully in any event, and that the residual difference is one of colour alone, the proposal cannot reasonably be said to cause harm sufficient to justify refusal.

There is no controlled palette at The Grange

The Grange is a modern estate of the mid 2000s in which dwellings are individually occupied and altered over time. It is not subject to any design code, Article 4 Direction or surviving condition regulating the colour of windows and doors. The only such control, Condition 22 of 04/02331/FUL, was deliberately removed by the Council under DM/21/2246 on the basis that the location was not sensitive and that the general provisions of the Order were sufficient. It would be inconsistent for the Council to have released the estate from additional control in 2021 and then to resist a change of window colour on character grounds in 2026.

Residential amenity

No openings are created, enlarged or repositioned, and no window position, size or cill height is altered. There is accordingly no change to the relationship between the dwelling and its neighbours and no impact on the privacy, outlook, daylight or sunlight enjoyed by the occupiers of neighbouring properties, including numbers 52, 54 and 56 The Grange. The replacement of failing units with modern triple glazed units will improve acoustic and thermal comfort within the application dwelling itself.

Sustainability and security

The proposal will improve the thermal performance and security of the dwelling, consistent with Policy DP39 and Section 14 of the Framework.

Planning Balance and Conclusion

The proposal involves no change to the footprint, form, massing, roof, openings or fenestration pattern of the dwelling. The single external change is the colour of the window and door frames, from white to anthracite grey, on a modern estate dwelling of no architectural or historic sensitivity, outside any conservation area and free of any Article 4 Direction or design code. The change would be read from the public realm as an unremarkable domestic improvement of a kind common throughout the district.

The Council has recently accepted the replacement of all windows and doors in black aluminium at a property within the adjoining conservation area, where a higher duty of care applied. It has already determined, through the deletion of Condition 22, that alterations of this kind at The Grange do not merit additional planning control. The works could in substantial part be carried out under permitted development in any event, leaving only a difference of frame colour genuinely at issue. Set against that, the proposal delivers a tangible improvement in thermal performance, ventilation compliance and security, consistent with national and local policy on the improvement of the existing housing stock.

There is no identified harm to the character and appearance of the dwelling or the area, no harm to residential amenity, and no effect on the setting of any heritage asset. The proposal accords with Policies DP26 and DP39 of the Mid Sussex District Plan, with the Hurstpierpoint and Sayers Common Neighbourhood Plan and with the National Planning Policy Framework.