



How to replace windows in **conservation areas** and **heritage properties**

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P.O.

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P.H.

Sports
Hall

Public
Park

A photograph of the Royal Troon Club House, a large stone building with a prominent balcony and a clock tower. The building features a mix of traditional stone architecture and modern white-framed sash windows. A gravel path leads to a green putting green in the foreground.

Sash windows installed at Royal Troon Club House 2016

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The windows are universally acknowledged as being first class and a number of advocates of wood have stated they were wrong and have indicated that the quality of the windows and the fitting has been an outstanding success.

Chris Moran, House Governor

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Foreword

Like most homeowners, you care about the appearance of your property; when replacing your windows you'll want the benefits and convenience of modern double glazed windows and the benefits of reduced maintenance that comes with PVC-U, but expect them to look in sympathy with the architectural and historical character of the property and surrounding area.

In short, you'll want them to blend in, or go unnoticed because they look perfect.

You probably know there are restrictions that affect what you are permitted to do by town planning regulations and conservation officers, which may stop you making changes to your home, and you'll want to know how to avoid expensive mistakes.

You'd probably like to understand more about these controls and the options you have.

If any of the above rings true, then this guide is definitely for you, it'll provide you with some valuable insights. You may already have permitted development rights!

We're the first to acknowledge that our windows will not be right for every situation, however by specialising in the manufacture of vertical sliding, box sash windows and catering for a wide range of properties with clients such as retail householders, commercial customers and installation companies large and small, we have a huge body of experience. We've helped many owners overcome the obstacles and objections thrown up by planners, to allow our windows to be installed.

Passionate about our products, understanding common misconceptions and misguided prejudices means you too can benefit from our proven ability to innovate and develop products that overcome the challenges you face, whilst our skilful installation partners provide a professional service when bespoke fitting solutions are required.

We hope it helps you with your project.



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The Vintage windows look just like their timber counterparts but possess all the attributes of contemporary windows. The windows have authentic detailing and are perfect for Conservation Areas and buildings such as Broughton House where it is important to maintain and protect all the original charm.

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Would you be happy with windows like in these?



This may be what some people expect PVC-U windows to look like but these are dreadful examples of what not to do, mistakes like these are entirely avoidable.

It's true, double glazing companies have installed millions of harmful, inappropriate windows into buildings, right across the country. The Nation's housing stock has been vandalised with cheap solutions.

No wonder "double glazing" has such a poor reputation when so many buildings have been blighted?

Yet in many ways, we are all to blame. Homeowners are normally restricted by budget, opting for the cheapest solution, not understanding the financial damage poor selection of windows will have on their home.

Sales people desperate for a sale, will sell whatever the homeowner wants, and companies will make what's been sold. Planning laws have not promoted best practice and culprits avoided prosecution.

We know what planners dislike, we know what homeowners prefer. We also know that all these improvements add cost to any project, however the finished installation, should look perfect.

Done well, replacement windows go unnoticed!



The introduction of lots of small different inappropriate designs damages the uniformity of character and appearance of the whole street. That doesn't mean the windows cannot be replaced – but that it should be done with care.

Poorly considered changes in the window design can alter the external appearance and harm the architectural character of the building.

1. Introduction

How to avoid making mistakes when you replace your windows!

1.1. This brochure is designed to help you avoid mistakes when you replace windows in your home, mistakes that will:

- spoil the character and appearance of your home and surrounding areas.
- devalue your home and make it more difficult to sell
- cost you twice as much if you get it wrong
- force you to live with your mistake every day until you move
- get you into trouble with the local planning authority!

1.2 This brochure will help you understand why windows instinctively 'look right' and others simply 'look wrong'. It will explain important considerations when selecting new windows for your home and how to avoid the pitfalls of the planning system, that controls what work you can and cannot do to your home.

Views about windows

1.3 Many Planners believe that modern products using double-glazing and manmade materials are simply not suitable for older properties. Some of this

is understandable when you look at the bad examples shown in the pictures (see pages 6 to 9)! All these pictures were taken in different Conservation Areas, and all these mistakes were completely avoidable!

FACT, It is cheaper to install windows using standard shiny white plastic, rather than with a semi matt textured, wood grained acrylic foil, painted or even with a "painted and stained" finish.

FACT, It is cheaper to install plastic windows with mitred welds, grooved corners or polished joints, rather than traditional timber "butt jointed" construction (which is still welded) like TIMBERWELD®.

FACT, It is far cheaper to install windows badly, having them fitted incorrectly on the outside skin of brickwork, or by retaining the old box frame rather than being correctly fitted behind the reveals, recessed as the originals were, reducing visible framework and maximising day light.

FACT, It is far cheaper to change the style of a window, opening out casements change the appearance significantly, rather than installing windows that are "in keeping" retaining the similar proportions and appearance.





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This property once had beautiful sash windows. Just look at the sizes of sections, with double openers double glazing bars in the sealed unit and unsightly trickle vents, have all contributed to devaluing this property.

”

FACT, It is far cheaper to have artificial “canes” within the sealed units, rather than bonded Georgian astragal bars (or glazing bars), precision cut both inside and out, adding a three dimensional character. Initially canes look fake, dull flat and boring but in time they look misplaced as they stay brilliant white, (they don’t get rained on) making a real eye sore.

FACT, It is far cheaper to use decorative “clip on” horns or “mock horns” on casements, rather than traditional construction like continuous run through horns on sash windows.

FACT, It is far cheaper for windows to be made from one section, without steel reinforcement than to take the time and trouble to incorporate different bars in the same window. Sash windows need slim sash at the head, large on the sides to equalize the glass width (keeping Georgian panes equal) and a deep bottom rail to replicate the looks of original sash windows.

FACT, It is far cheaper to couple two frames together producing chunky unsightly windows than to commission a bespoke integral mullion solution. Integral mullions reduce sightlines from 153mm down to just 99mm and fit within the frame, the same traditional detail wooden frames have.

FACT, It is far cheaper to use standard extrusions with “fancy” detailing rather than commission bespoke “putty line” glazing and “staff bead” outer frames. Neatly chamfered matching astragal bars externally and ovolo internally ensure windows look the same as the original sash windows.

FACT, It is far cheaper to use thin cill profiles rather than commission a bespoke “box cill”. Because most box sash had chunky 2” (55mm) cills it makes sense to select products which incorporate the same depth of cill section.

FACT, It is far cheaper to slap silicone around the perimeter of the window rather than provide a cement fillet, architrave or trim.

FACT, It is far cheaper to remove the internal shutters, blinds or architraves rather than reuse them. Sometimes it isn’t possible but many will reuse the existing architraves or have a copy made to finish the installation off perfectly.

Like we said earlier, these choices each has a cost, but if you wish to have sash windows that appear as if they have been there a hundred years, then you should consider them in your next project, and avoid damaging your most valuable asset.



“

I consider the proposed mid-rail width of 39mm shown on the plans to be in-keeping with the originals. The potential for 'double-reflection' from the use of two parallel panes of glass would be minimised by the use of 18mm double glazed units.

Planning Inspector report

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Upon closer inspection these sash windows are virtually identical to timber originals, even at close quarters.

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Interestingly, these are PVC-U windows too!

Issues such as opening function, durability and a design that appears out of place, will all change the external appearance of a property and ultimately impact on the character, appearance and attractiveness of your home, reducing its value. This can all be easily avoided and if you look at the examples on this page they are:

1.4 All double glazed, set into true vertical sliding, box sash window frames, correctly fitted behind the brick reveals to match the originals.

1.5 Constructed using a range of slim profiles and finished in a bonded wood effect foil wrap, the design and details are virtually identical to the original and will retain the character and appearance of the property.

1.6 The real difference is not the material used in manufacture but the design, attention to detail and correct installation.

1.7 Good products, installed correctly, will cost a little more but the true cost of cheap replacements will instantly become obvious.



Maintaining the character and appearance of properties and local area. Careful design of the windows to ensure the external appearance is unchanged – using PVC-U framed double glazed windows.



Constructed using a range of profile section sizes and with glazing bars mechanically attached on the external faces of the glazing unit and a solid spacer bar between to give the authentic appearance of small panes of glass between astragal glazing bars. True vertical sliding sash with the top sash forward of the bottom. Shutters fitted internally.

Sympathetic Extension e



“

This client wanted their extension to look identical to their original house

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2. Here to help you!

If you are lucky enough to live in a heritage property, a Conservation Area or are responsible for a special building like Royal Troon, we can probably help you!

2.1 The windows are a very important feature in the overall character and appearance of a building, indeed some design professionals refer to windows as the 'eyes of a building'. So when replacing the windows it is important to 'get them right'. Our windows will improve the comfort inside your home and enhance the appearance and character of the building, for many years to come.

2.2 On the following pages we explain the importance of choosing the right style, how the system of planning controls work, and the importance of making a good quality planning application to enable you to have windows of your choice installed.

2.3 With 39 years' experience replacing vertical sliding box sash windows in PVC-U; we understand what is needed to produce the most authentic, traditional appearance. As a manufacturer we understand windows, how their design has developed over time and the different 'vernacular styles' found around the country.

2.4 It is possible for us to produce completely bespoke windows to meet your unique requirements. With our product range, extensive experience and technical expertise, there is a strong chance we can overcome the technical problems and challenges you face and help you overcome any objections your local planning authority may raise.

2.5 Don't be deterred from asking if something is possible, our sales team enjoy new challenges

2.6 That's why so many housing associations, blue chip companies, architects and developers chose to use our products. By listening to client's desires and expectations, we're more able to provide a solution which works.

2.7 We use the services of an independent specialist architect who is able to provide excellent advice if you wish, we also lobby colleagues in Historic England, Conservation Officers and local planning authorities, to help them understand the benefits of modern replacement windows and not to pre-judge windows on their past experiences.

2.8 Section 3 covers the historical development of sash windows and in section 4 and 5 you'll discover a few more ideas about how important projects require special solutions, and details of what can be achieved using modern materials.

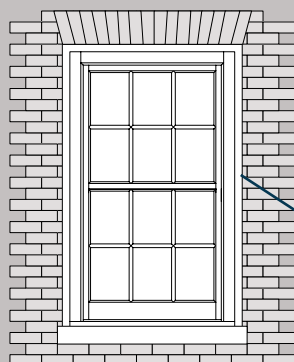
Our windows are not mass produced - each frame is as individual as you are!

“

The appeal is allowed and planning permission is granted for three replacement windows to the front elevation... subject to the following conditions: The replacement windows hereby permitted shall be Masterframe 'Bygone Symphony' uPVC double-glazed sash units and shall sit within the original window recesses and shall employ a white foil finish
Planning Inspector Appeal Report

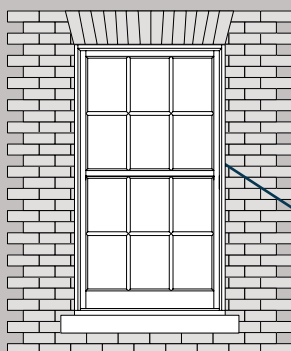
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Illustrating the development of sash windows and association with Architectural styles



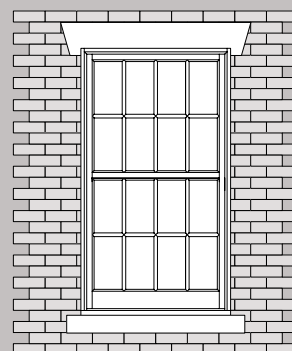
Early Georgian

Before 1730
and 1910-1940



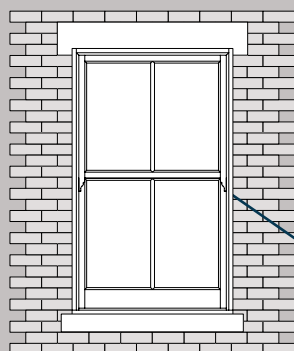
Mid-Late Georgian

1730 -1875



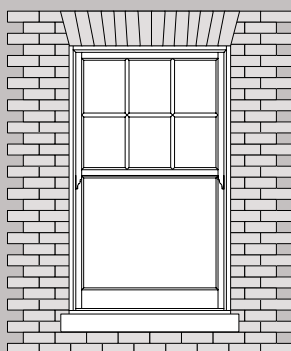
Late Georgian

1800-1875



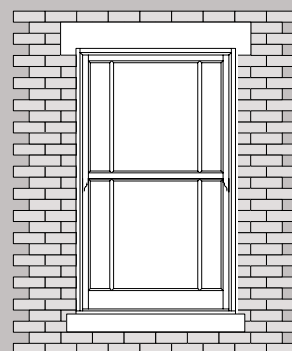
Victorian

1875-1905



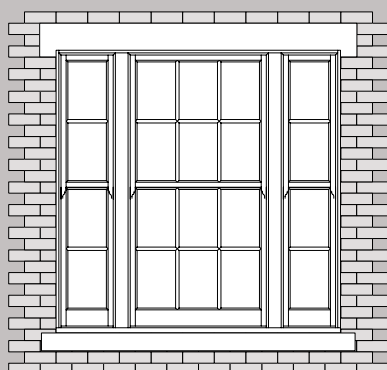
Queen Anne Revival

1885-1910

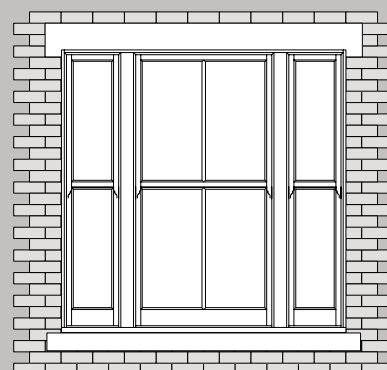
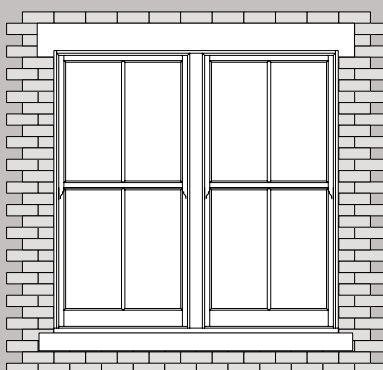


Integral Panel

1900



Georgian



Splayed



Square Bay

3. The correct sash window in the right setting

Development of sash windows with Architectural styles

3.1 Architectural use of windows and joinery has developed with changes in taste and advances in construction techniques and materials. By taking a closer look at our surroundings we can now all see distinct changes of 'fashion' in the design of box sash windows, from late 17th Century to the present day. By understanding this we can ensure replacement and new windows 'look right' for your building, its period and the local area.

3.2 Perhaps the most important factor in design has been the technological advances in manufacture and therefore, the affordability of the glass itself. From the 1670's the introduction of 'crown glass' led to a form of cross-casement window with small panes of glass held in timber or iron glazing bars. Throughout Britain these were soon replaced by the newly invented sliding sash window. The earliest were installed flush with the external face of the wall and with thick timber glazing bars (up to 35mm thick) and as many as 16 over 24 panes of glass in the two sashes.

But the expense meant these were restricted to higher status buildings only. However, by the 1840s new 'plate glass' had become more common and affordable and meant sash windows could rapidly become common to all classes of property.

3.3 Traditional local 'vernacular' building styles were increasingly overtaken by new industrial techniques and aesthetic fashions. From the 18th Century onward older buildings were commonly improved and remodelled to appear 'on trend', often with a new front facade of brick, ashlar stone or stucco, complete with 'modern' box sash windows!

3.4 Georgian elegance was an aesthetic based on satisfying proportions and patterns with minimum ornamental detail; this embraced the box sash window design.

Following the Great Fire the London building acts (requiring that timber frames be set behind the front face of brick work to reduce the risk of fire spreading) gradually led to an aping of this style throughout the country. Elements of the late Georgian style persisted until the 1870s.

'Victorian' styles exploited new technological advances making it possible to enjoy larger thicker sheets of 'plate glass' (from after 1850) as it became more affordable. The heavier glass and the reduction in the number of glazing bars, necessitated changes in the box sash design, including the introduction of horns to strengthen corner joints and protect the internal weighted mechanism (pulley weights and cords or chains).

3.5 Builders 'style' books enabled the reproduction of 'up market' fashion details and brought increasing standardisation to architectural features including to windows and joinery design.

A number of fashionable revival styles emerged through the late Victorian and Edwardian periods including: Gothic Revival with pointed arches, Italianate, Renaissance and Baroque with Classical details, and Queen Anne, Tudor and Jacobean Vernacular Revival, some of these including arched windows - Gothic, Swept or True Arch windows.

From the 1890s through to 1915 came Art Nouveau with graceful curving lines often blended with vernacular influences embraced by the Arts and Crafts movement. After the First World War new industrial capacity and social changes brought forward Art Deco and Modernism which embraced new galvanised steel and aluminium framed windows from mass production manufacturers such as the famous 'Crittall Windows'.

But ever since, the use of box sash windows and these earlier styles have been constantly revisited as society becomes more concerned to ensure new development in sympathy with historical buildings and places.

3.6 In choosing the right window design and especially Georgian arrangements, it would be favourable to use the Golden Ratio to achieve a balanced look. Simply explained it is any rectangular shape that achieves a ratio of 1:1.6.

“

Did you know that "Double Glazing" (two sheets of glass closely bonded together) was first patented in 1865! Over 150 years ago!

By Thomas Stetson

”



4. Get the detail right

Traditional construction, retaining character

To achieve an accurate appearance we draw on a very comprehensive package of features including unique patented items: **Authentic appearance of glazing bars, proportions of the sashes and method of opening**

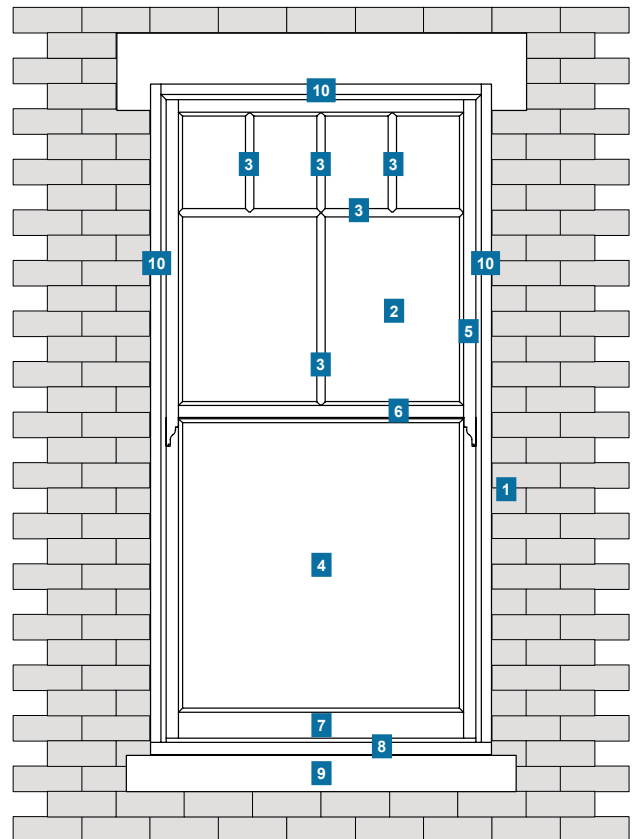
Installation of a full new window – Good surveyors and installers are trained to carefully survey and fit so our windows sit correctly in the opening and fully replace the existing window case.

Slim double glazed units - Rather than 28mm air filled units used by others, we have options to use gas filled glazing units that are 24mm or even slimmer at 18mm.

Better functionality and appearance now and into the future - Many people open or close their sash windows simply by pulling and pushing on the Georgian bars rather than the handles. Many manufacturers simply 'stick' glazing bars onto the glass individually; however this increases the likelihood that bars could pull off!!

Our **Glazing Bars** are interlocked and mechanically attached then secured with patented **Geogi®Clips** so that the bars stay firmly in place for life.

Sashes are cut with **Continuous Horns** rather than stuck-on, **chamfered putty line, stiles** and **ovolo** beading enhance the authenticity of the windows.



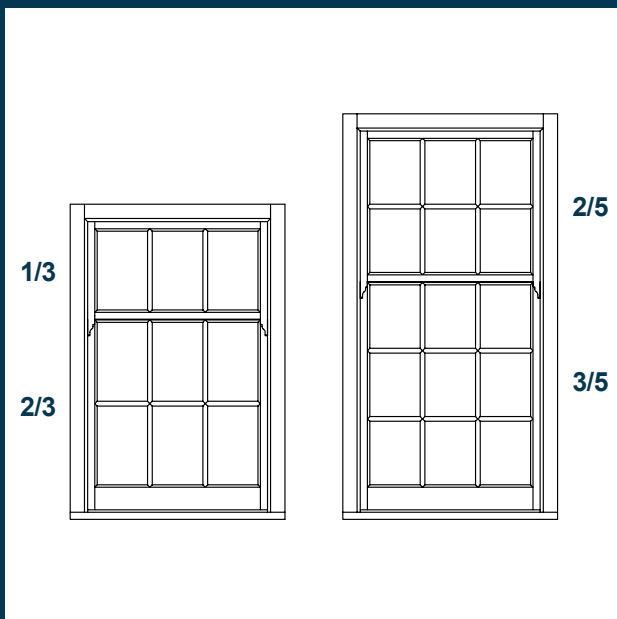
1. Brick work - typically most of the window frame (case) is 'concealed', recessed behind the front face of brick work.
2. Top sash - slides forward of the lower sash
3. Astragal/Glazing bars, mechanically attached
4. Bottom sash slides behind top sash
5. Sash stile - side bar of a sash
6. Meeting rail - centre bars
7. Bottom rail - lower rail often thickest
8. Window cill - typically 55mm box cill
9. Stone (or similar) cill
10. Window case or Box

“

Together, I consider that these features would result in windows that would closely replicate the character and appearance of the existing windows and a significantly higher design specification and finish than 'conventional' PVC-U double glazed windows.

Planning Inspector report -

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Variable transom positions – All our windows are true sliding sashes and can be made to any proportions required and we ensure georgian designs are equal within the window.



Textured wood grain to foils – Instead of a shiny white plastic looking finish, we can bond UV neutral acrylic foils to the frame and provide you with different finishes inside and out.



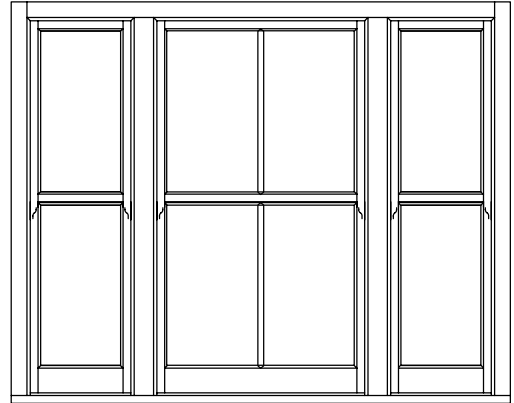
The interior appearance is important too! An internal **Staff Bead trim** detail gives the full appearance of a traditional sash window from the inside while allowing the sashes to be dropped open for convenient cleaning.



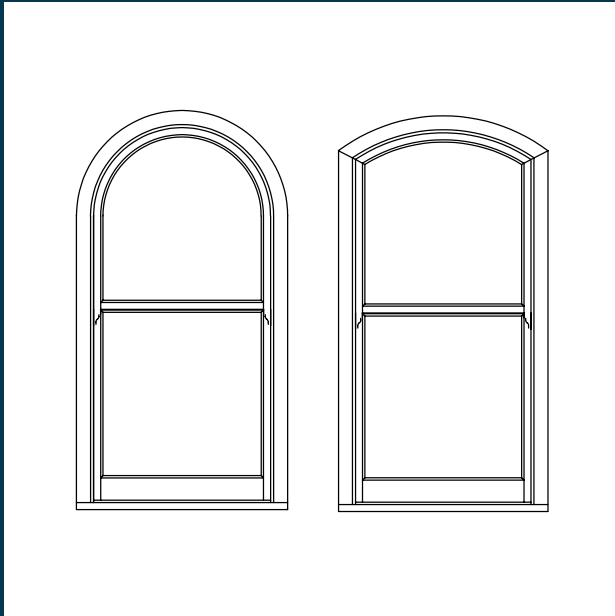
Traditional window frame dimensions – All our windows employ scaled sections to ensure equal sightlines (areas of visible glass across the width of the window). We also offer further options for 39mm **Super Slim Meeting Rail** (uniquely manufactured from GRP to give the necessary strength) and 110mm **Deep Bottom Rail** and options for a **Deep Cill** (with a 55mm deep front face) for more authentic dimensions.



Paint options - We offer a colour matching service to all leading paint brands including Farrow & Ball at our factory paint plant and offer a 10 year warranty.



Slim coupled mullion – There are options for slim coupled mullion for paired window designs which reduce sightlines and ensure georgians line up.



Bespoke design – Arch window forms – **Swept, True Arch** and 'London Arch' being both square edged inside and arched outside.



Attention to detail and innovation to meet challenges – To overcome a Conservation Officer's objection to the exposed stop end detail, the Masterframe technical team developed an internal item that would not be visible.



Timberweld® welded butt joints

5. Other important considerations

Be at peace with your windows

5.1 We've all heard about the importance of 'sustainable development' – but this is more than preserving the past. While design should conserve or enhance the historical character of the building, good ventilation for air quality, restful sleep patterns and the security of your home are also vital considerations, and may affect your planning application too!

5.2 Ventilation is rarely discussed and many cheap installations fail to provide for the necessary ventilation to meet the building regulations requirement (generally to achieve at least 4 changes of air in the room every hour).

5.3 If your property has or had sash windows in the past, then any other style of window will be less efficient for ventilation; that's because sash windows opened at the top and bottom, produce far more ventilation than any other style of similar opening size (typically 8 Acp/hr).

5.4 Our two stage keeps are generally able to lock the windows ajar to provide background ventilation required by building regulations, in most cases avoiding the need for adding unsightly trickle ventilators.

5.5 Only a true vertical sliding sash, will maintain the 'similar visual appearance' of sash windows when open and closed.

Our heavy duty Torso or Ultralift balances greatly reduce the opening forces required to move the sashes themselves, meaning they are far easier to open (including for the elderly or infirm) than old swollen and warped timber windows.

5.6 Obviously 'A' rated energy rated windows will deliver excellent heat insulation and reduce drafts, saving your energy costs and helping to conserve valuable earth resources.

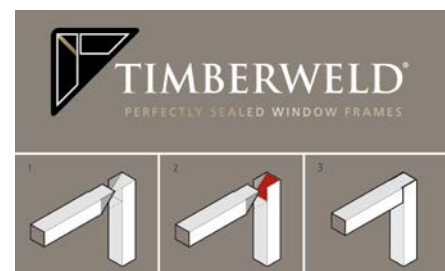
5.7 High standards of security too can be incorporated these days via window furniture designed to meet the rigorous demands of SBD or PAS24. Gone are the days of the poor security that old wooden sash windows were known for.

Double glazed units offer increased protection over old glazed units because they are now installed from the inside rather than with external bead that can be easily removed.

“

Welded vertical butt joints help recreate the perfect sash window. Timberweld® is unique and exclusive to our sash & Wodehouse windows.

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6. Planning controls explained!

What are town planning regulations for?

6.1. The purpose of town planning is to manage the use of land and buildings in the best public interest.

The planning system can be legalistic, 'political' and complex. The rules are slightly different in England, Wales and more so, Scotland; and there is a lot of variation in how the rules are applied by different local planning authorities – usually the local council. However the basic principles are common sense.

This guide refers to planning law and regulations in England and draws out the important differences in approach in Scotland and Wales only.

6.2. Planning permission is needed for any building work that falls within the legal definition of **'development'**:

- This includes any demolition, rebuilding, structural alterations or additions and other operations that 'materially affect the external appearance of the building'.¹
- This excludes 'like for like' replacement of doors and windows, repair and maintenance (and interior building work) – except in the case of Listed Buildings.

6.3. The terms 'like for like' and 'materially affect' have no statutory definition; it is all a matter of **'fact and degree'**, assessed by the 'decision maker' (usually the local council) on a case by case basis, looking at the significance of the proposed change of appearance, and having regard to decisions made in the courts².

6.4. In general terms, to materially affect the external appearance the change must be visible from a number of normal vantage points and judged for its materiality in relation to the building as a whole and not by reference to a part of the building taken in isolation³.

Types of planning permission

6.5. Planning regulations⁴ are simplified to allow minor building work alterations and improvements to proceed with minimal 'red tape'; the requirements becoming more onerous for larger projects and at more sensitive locations and buildings. Broadly speaking there are three different types of planning permission relevant to us here:

- Local authority grants of planning permission – whereby you apply to the council for grant of 'planning permission'
- A national grant of automatic planning permission referred to as **'permitted development'**. If the work falls within the definition of **'householder permitted development rights'** then no further planning permission is required from the council.
- For Listed Buildings, a Listed Building Consent is likely to be required for any 'development' and, also for some maintenance and repair work.

Householder permitted development rights

6.6. Good news, a system of householder permitted development rights gives a national grant of planning permission for minor works including replacement windows where conditions are met. In England permitted development rights apply to any 'dwelling house' (detached, semi- and terrace houses but NOT to flats and sub-divided properties and some houses created through some types of conversion. (In Scotland only flats also have permitted development rights to replace windows to a 'similar appearance to the existing').

Class A householder permitted development allows the replacement of windows and doors (and construction of conservatories within certain limits) – on condition that the doors and windows are of **'similar visual appearance'** to the existing. (England and Wales)

6.7. In practice the assessment of a 'similar visual appearance' is a matter of 'fact and degree', with different local planning authorities showing quite different national regulations and local levels of flexibility on this.

In general terms, the more sensitive the building or 'setting' (the relationship of the building with nearby buildings and spaces that are 'significant' in architectural or historic terms), the more exacting the requirement for a close visually matching appearance will be.

Heritage assets and use of Article 4 Directions to restrict permitted development rights

6.8. National planning policies and statute⁶ require planning authorities to have 'special regard' to the conservation and enhancement of 'heritage assets', and to take an approach in their decision making that is 'proportionate' to the architectural and/or historical significance of the 'heritage asset', balancing these concerns with other public benefits and considerations relevant to planning.

6.9 An approach to gain more control in sensitive locations by removing or restricting the use of permitted development rights taken by most councils in England and Wales is to make a legal direction – called an Article 4 Direction.

Typically, an Article 4(1) or 4(2) Direction will remove permitted development rights within at least part of any Conservation Area⁷, mostly the frontages of the properties only and not the sides or rear of properties. In Scotland the position is different, these householder permitted development rights are removed simply because a house or flat is within a Conservation Area.

6.10. There are no comprehensive records of the estimated 8,000 Conservation Areas, but in England a survey of 72 authorities with 2,044 Conservation Areas⁷ found that about 15% of all Conservation Areas are affected by an Article 4, with great variation between individual councils. While a small number of councils had applied Directions to all their Conservation Areas, others had none and 81% of authorities had at least one Article 4. Of these around 74% of the Directions are 'blanket', applying to the frontages of all properties in the Conservation Area, the remainder specify individual properties only.

6.11. Article 4(1) Directions (made with Secretary of State approval) may also affect the appearance of individual buildings that may influence setting of Listed Buildings or Conservation Areas. The simpler Article 4(2) Directions introduced since 1995 apply to Conservation Areas and are usually supported by a Conservation Area Appraisal and Management Plan detailing the history and character of the area and justifying the imposition of the Direction. These documents can provide a useful source of information, but unfortunately coverage is patchy.

Different types of protection for heritage assets

6.12. 'Heritage assets' is a collective name used to

describe all historically important buildings, structures and places; assets are classified with a hierarchy of protections according to their architectural or historical significance. The more significant are legally 'designated'⁸ and some others, such as 'locally listed buildings' or 'buildings of merit' have a lesser 'non-designated' protection.

Whole areas may be classified as a Conservation Area or as part of a World Heritage Site, and individual buildings may be classified as 'ancient monument' or more commonly as a Listed Buildings, on a scale for Grade 1 through 2* and Grade 2, or subject to an Article 4(1) Direction.

Some other indications of the need for sensitivity in design and specification

6.13 Some other 'protected area' designations (such as Area of Outstanding Natural Beauty) affect certain permitted development rights too but these do not affect householder permitted development rights to replace windows and doors in England and Wales. But just like the identification of a building as a 'non-designated heritage asset' or a location close to and affecting the 'setting' of a designated asset, this is a good indication of an increased expectation for sensitivity in design and specification to achieve a good visual match to the existing appearance, or a replacement of non-original windows with a more appropriate design.

Again, this is all a matter of fact and degree and independent specialist expert help will help in discussion with the LPA and to avoid potential problems.

¹ Section 55 of the Town and Country Planning Act 1990 as amended

² Section 55(2) of the Town and Country Planning Act 1990

³ Journal of Planning Law P55.17

⁴ Building Regulations are separate and deal with construction materials and standards. An approved installer following approved methods will be able to issue certification that the regulations are complied with.

⁵ General Permitted Development Order 2015 – Part 1 Class A subject to condition A.3

⁶ Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework 2012

⁷ Survey commissioned for the English Historic Towns Forum - undated

⁸ Designated under legislation, typically the Planning (Listed Building and Conservations Areas) Act 1990



7. Finding your way through the planning system

Reality check – The costs, risks and penalties of getting it wrong!

7.1. Planning controls are there to manage what you can do in terms of replacing windows and doors, working through a system of granting planning permission for any building work that ‘materially affects’ the external appearance of any building.

This section outlines how the town planning system operates.

7.2. The increased age of your property, a location inside a ‘protected area’ or in close proximity to a protected building or area will inevitably increase the attention needed to ‘get the windows right’, it may complicate it and attract additional scrutiny by the authorities. Inevitably, this will increase costs.

7.3. The **flow diagram (Fig. 1) on page 26** outlines the thinking and steps you’ll need to follow to understand the process to satisfy the town planning requirements. The double page **table (Fig.2) sets out eight typical situations and the different planning controls in each** and you will probably find that you are in one of these! Section 9 includes some case studies where Masterframe have had successful installations in these typical situations.

Breaches of planning control (not doing it right)

7.4. It is a fact that some people undertake building work without bothering to get the necessary permissions. We do not recommend this and it is not advisable as it is a breach of planning control, which means you may become liable to reinstate the original single glazed windows later!

7.5. Local planning authorities can and do take enforcement action against such breaches when this is deemed to be in the public interest.

7.6. A breach of control includes, carrying out development without permission or the failure to comply with any condition or limitation subject to which a planning permission has been granted.

In all cases in planning and Listed Building enforcement, the dictum that ‘ignorance of the law is no defence’ is universally applied by the courts.

7.7. It is really important to understand that:

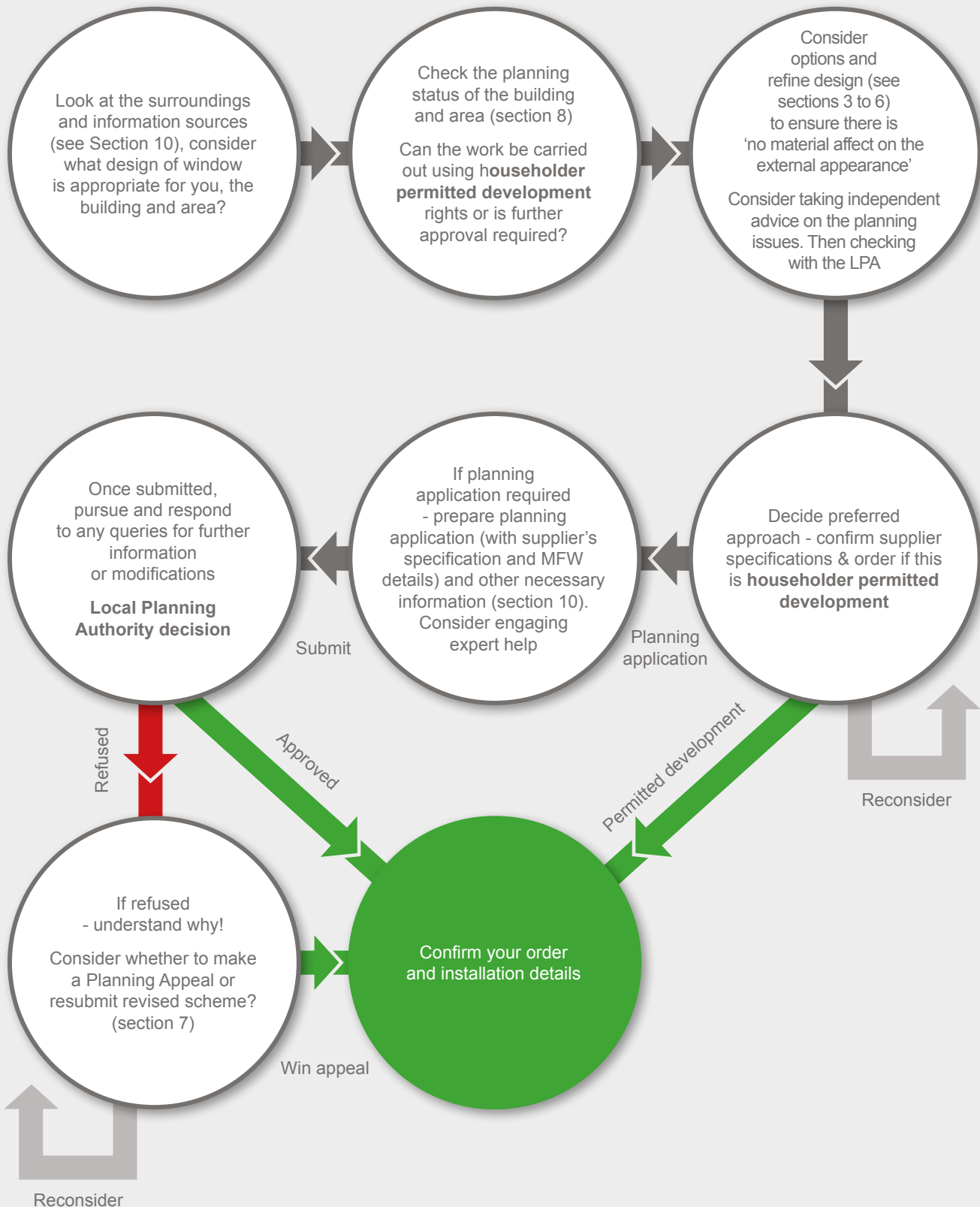
- > The chances of an investigation by the local planning authority increase with the number of **complaints** made
- > The likelihood of enforcement action being taken increases with the local planning authority’s opinion of the **importance, sensitivity and the degree of harm caused.**
- > It is an offence to carry out work requiring Listed Building Consent without the consent.
- > In the case of Listed Buildings, enforcement action could be taken at any time; **there is no immunity** after four years have passed after the work was completed.
- > Failure to comply with action can result in **criminal prosecution**, the cost to remedy the breach, **a fine and imprisonment.**
- > **Both the contractor and the instructing party (the householder) are liable.**

“

Permission to change your windows already exists if you have permitted development rights. Windows need only to be of similar visual appearance.

”

(Fig.1) The Planning process – flow diagram of typical design and approval processes



Refusal and your rights of appeal

7.8. When you have made a planning application you can typically expect to wait for some 8 weeks for a decision. Then it is possible that the local planning authority will refuse your application for what you (and perhaps your independent advisor) consider to be a reasonable proposal.

In this case, you have a right to appeal to an independent Planning Inspector (acting on behalf of the Secretary of State for the Environment) to review the decision. However, this can only be based upon details in the application and you cannot add extra detail.

7.9. In reality making a planning appeal can be a slow process taking 6 months or more. Alternatively, you can speak to the local planning authority and seek to agree on a modified scheme and submit a further planning application, for no further fee to the council. You can then appeal this application if need be.

All the more reason for doing your homework and getting the initial planning application right in the first place!

Sometimes it's not appropriate to install replacement windows!

7.10. We fully accept that there will be occasions when the architectural or historic 'significance' of an important elevation of a historic property means that the installation of double glazing and/or replacement windows to replace historic fabric cannot be justified.

7.11. But we do not accept that this is automatically the case with all windows on all Listed Buildings, nor that it necessary for all replacement windows in Conservation Areas to be made of timber.

Most homes have **householder permitted development rights** meaning you can legally replace windows with ones of **similar visual appearance**, without any further planning applications.

“

.....the proposal would not noticeably alter the established character or appearance of the host property. The proposed windows would have a neutral effect on this notable building and on the Conservation Area as a whole and would preserve the character and appearance of the Brookvale West Conservation Area

”



8. Getting planning information – what to look for and where?

What's good for you? Where does your home fit?

8.1. It is often difficult to get authoritative informal advice from local planning authorities; they may imply you must act in a certain way or that you must use a timber frame windows, when in fact there is no requirement for this! They may be narrowing your choices and increasing expense unnecessarily.

8.2. Therefore, we strongly advise people to do their own research online and, if it's looking complex, seek help from their installer or an independent specialist opinion before then speaking to the local planning authority. This table quotes regulations in England, see Section 6 for small but important differences in Scotland and Wales.

Some useful information sources are listed at Section 10.

(Fig.2) A summary of town planning requirements if replacing windows and doors in eight typical situations

	<p>1. House - terraced, semi-detached or detached</p> <p>Work to replace windows and doors is a form of 'development' allowed by Class A householder permitted development rights; this is on condition that the materials used in any exterior work... are of "similar appearance" to that on the existing house. Technical Guidance explains the reason for this is to minimise the visual impact of any work and spells out that it may be appropriate to replace existing timber frame windows with new PVC-U double glazing, and that "...what is important is that they give a similar visual appearance to those in the existing house....in terms of overall shape, and colour and size of the frames".</p> <p>If the house is in a building converted from a previous use, then householder permitted development rights may have been withdrawn – check with the local planning authority.</p>
	<p>2. Flats or dwellings in sub-divided property</p> <p>There are no permitted development rights for 'development' to change windows and doors in flats or a dwellings in part of a building containing other uses. You need permission (except in Scotland).</p> <p>Works to repair or refurbish windows on a 'like for like' replacement (that does not have a 'material effect on the external appearance') are not considered to be 'development' and do not require planning permission. But many local planning authorities treat the introduction of double glazing or a new construction material as a 'material change' that constitutes 'development', requiring their approval with a planning application. Others more properly focus on the effect on visual external appearance. See section 6.1 to 6.3.</p> <p>Check with your local planning authority. However, it may be difficult to get an authoritative informal opinion. You can submit a Certificate of Lawful Development (Proposed) to establish that permission is not required, but at a similar timescale and cost as a planning application.</p>
	<p>3. House in a Conservation Area</p> <p>In England and Wales, householder permitted development rights are not affected by the designation of a Conservation Area. Unless there is an Article 4 restriction you are entitled to replace timber windows with PVC-U double glazing - as 1 above. (In Scotland, the designation as a Conservation Area has the effect of removing permitted development rights - see 4).</p> <p>However, the Conservation Area designation points to the need for a design with a good visual match in appearance, and you can expect a close scrutiny of how well this 'similar visual appearance' is achieved.</p>

	<p>4. House in Conservation Area with Article 4 Direction</p> <p>Planning permission will be required to replace those windows and doors affected by an Article 4 Direction that removes permitted development rights (or in any Conservation Area in Scotland). It is thought about 15% of all Conservation Areas in England are affected, but this varies greatly from place to place. Read the Direction carefully – typically these only affect the windows in the front of the property, the rear being unaffected.</p> <p>Your planning application should demonstrate how the design and specification details will conserve or enhance the character and appearance of the area. Submit a Heritage Statement with the Design and Access Statement to demonstrate very similar visual appearance to the originals. See section 4 and 5.</p>
	<p>5. Replacing non-original windows without permitted development rights</p> <p>Householder permitted development rights only allow replacement to match the existing windows, a change to better match the likely appearance of the original windows is still a 'development' that requires you to make a planning application. However, the council are likely to support a proposal that 'enhances' the visual appearance by putting-back a more appropriate design – although they may try persuade you to use a traditional timber rather than PVC-U even though the visual appearance is indistinguishable with better PVC-U windows. This will be viewed more closely and sensitively in a Conservation Area location. Consider seeking independent advice.</p> <p>Seek informal pre-application advice from the local planning authority, they may accept a well presented informal proposals rather than require a planning application – but do secure some written record of this to avoid future 'comeback' or solicitor queries.</p>
	<p>6. Other buildings - converted to residential use</p> <p>Planning permission will probably be required to change the windows and doors in older buildings converted to residential use - sensitivity will increase if the windows are a distinctive architectural feature of this or neighbouring properties. Also, see 2 above in relation to 'like for like' replacements and the lack of permitted development rights for some buildings converted to residential use.</p> <p>Consider obtaining independent specialist help. Prepare your ground and then talk to the planners who have discretion. It may be appropriate to submit a Certificate of Lawful Development to confirm if replacements will be on a 'like for like' rather than treated as development – see section 8.2.</p>
	<p>7. A non-designated heritage asset</p> <p>The inclusion of a building onto a 'local list' of historically or architecturally significant buildings does not in itself change the rules in respect of permitted development and the need for local authority planning consent.</p> <p>However, this informal designation is a very clear signal that the building is sensitive and to expect close public and local authority scrutiny. Do check to see if an Article 4 Direction has been made on the building? See sections 6 and 7.</p>
	<p>8. A listed or specially designated dwelling</p> <p>Buildings of greatest importance in historic or architectural terms are formally designated. For example onto the national list of Listed Buildings. These are graded by importance and Listed Building Consent will be required for any 'development' and some repair and renovation work too. The starting point is that the 'historic fabric' of Listed Building should be repaired and renovated rather than replaced. But each case should be dealt with on the merits of the circumstances.</p> <p>The local Conservation Officer should offer you specialist advice - but this may lead you into avoidable expense and restrictions. Consider obtaining independent specialist advice first to help you reach an optimal agreement with the Conservation Officer before submitting an LBC application.</p>

⁹ 'Development' is any building work that materially affects the external appearance of the building – see paragraph 7.2

¹⁰ Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015

¹¹ Technical Guidance (2016) to the GPDO

¹² Planning (Listed Buildings and Conservation Areas) Act 1990

¹³ Planning (Listed Buildings and Conservation Areas) Act 1990

Note - this information is intended for general guidance only – it is not intended to replace the need to make specific checks and seek specific opinion



Masterframe double-glazed sash windows - carefully detailed to conserve the original Edwardian character and appearance

9. Case Studies

The summary table at Fig.2 summarised the likely town planning requirements for replacing doors and windows in eight typical situations. The following pages give some case study examples of how Masterframe Windows have been used in these situations.



1. House - terraced, semi-detached or detached

The majority of our customers have installed replacement windows using the **householder permitted development** rights which allow them replacement windows on condition that they have a **similar visual appearance** to those which existed previously.

Through-out the product range, double glazed PVC-U windows are individually designed to meet your precise specification so that their condition is fully met.

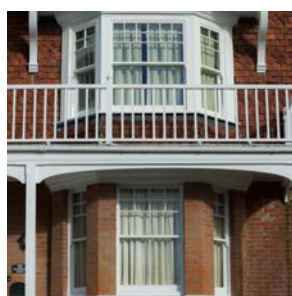
Authorities may try to persuade you they will only approve timber but with PDRs any material can be used provided it is of similar appearance.



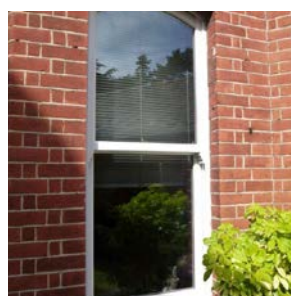
'Before' the windows were replaced and 'After'. The pictures speak for themselves!



A typical late Victorian bay fronted house



A typical 1900's semi-detached



A typical late Victorian bay fronted house



Detailed glazing bar pattern in keeping with the original Revival style of the early 1900s.



Many Housing Association clients have used authentic windows - Amhurst Park Estate



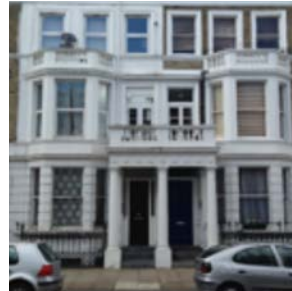
2. Flats or dwellings in a sub-divided property

There are no permitted development rights to replace the windows in flats, so you will need planning permission for any change the local planning authority consider to be a 'material affect' on the external appearance, In Scotland this is not required.

We have (together with our independent planning advisor) helped our customers and installers secure contracts and planning permission for replacement windows in many flatted developments – small and large.

Recreating the appeal of authentic box sash, the entire estate at Amhurst were approved by the local planners.

In the Barons Court Conservation Area in Hammersmith & Fulham, we helped (for occupier of the RH first floor flat) secure planning approval. The council had previously refused many applications for PVC-U windows in the area, however they recognised the benefits and strength of our proposal.



Before



After



One example of an estate renewal project. Housing Association at Amhurst Park Estate – London N1

“

Brodie Plant Goddard worked in the design of the new sliding sash windows at Amhurst Park, London N16 to ensure the project received planning approval and met the requirement of the local council's heritage officer.

The replacement of windows in nearly 100 flats proceeded smoothly and by cooperation between all parties, surveys were arranged, drawings approved, windows manufactured and deliveries made to ensure the works progressed in a sensible and logical manner.

Both ourselves and the client are very happy with the windows in terms of their appearance, performance and operation. The specific profile of the heritage windows allowed us to replicate the frame size of the original timber windows and the detail of beadings, joints and similar features make the windows superior to many other PVCu sash windows. In fact, the heritage officer when looking for a sample window that had been installed, found it very difficult to locate! **Robin Goddard BSc FRICS**

”



Replacement using Vintage Traditional windows in the flats at Mokoia House, Troon. Locally approved – “rigorous levels of quality and detailing”.



PVC-U framed, box sash windows can conserve and enhance the character and appearance of a late Victorian house in a Conservation Area (Brookvale West CA, Basingstoke).



3. House in a Conservation Area

Just because you live in a Conservation Area (in England), you do not automatically lose **householder permitted development** rights – so you can replace timber windows with double-glazed PVC-U framed windows without further approvals, on condition the design details are right i.e they are of **similar visual appearance**.

In England, only if an Article 4 has been made are your permitted development rights affected - in Scotland any Conservation Area property is affected as described in 4.

But Conservation Area designation highlights that the architectural and historic character of the area is recognised to be important, so you need to ensure a good specification window and design, to achieve a good **similar visual appearance** with the existing.

It is for you to choose and demonstrate if asked later. So you can expect close scrutiny from the public and the council! We recommend keeping to the original design style i.e replace sash with sash.



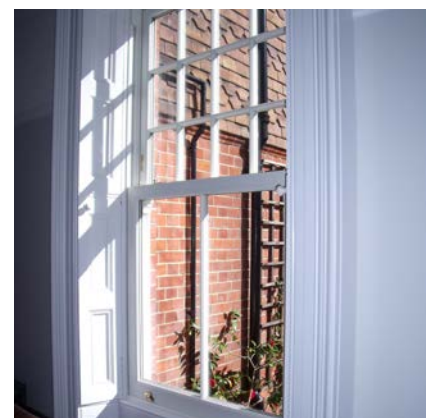
Not all sash windows are white! Before the late Victorian period a much wider range of colours were originally used.



Masterframe offer a range of window specifications suitable for different circumstances.



Before and after! Carefully executed glazing design mimics the Queen Anne Revival style in this house in an excellent matching of visual appearance.



With the fine installation standard carried through into the interior to conserve the original timber shutters (below).



Replacement windows approved for a property affected by Article 4 Direction



4. House in a Conservation Area with Article 4 Direction

Planning permission will be required to replace any windows affected by the Article 4 Direction – mostly these are found in (approx. 15% of all) Conservation Areas in England.

But read it carefully – in around 74% of cases these are blanket orders affecting the front windows only, in other cases the whole of individual properties may be covered.

Where affected, we have (together with our independent planning advisor) helped our customers and installers secure planning permission and win planning appeals to gain permission to install Masterframe Windows into numerous Article 4 properties.

We have successfully argued at planning appeals that it is not what the window is made of that is most important but the impact that the visual appearance will have.

It is the way the window opens, the design and dimensions which really matter when conserving the character and appearance of these special areas, not what material is being used.



Brook Street Conservation Area, Before and installation after planning appeal.



Brook Street Conservation Area — after installation to the middle property



New PVC-U windows alongside some original timber windows in the front of this property (



Not all sash windows are white, ours will be bespoke to your specification



5. Replacing non-original windows without permitted development rights

There are many successful cases of Masterframe PVC-U double glazed windows being used to replace inappropriate 'modern' replacement windows with ones of more appropriate visual appearance. New windows are required that enhance the appearance of the building by being more in keeping with the originals.

You will need planning permission from the local planning authority, and they may suggest that you 'should' use timber (when this is not necessary). It is **still the visual appearance that is important, not what the window is made of!**

Civic Award for restoration, Wigan Council

Over the years every type, style and colour of poor plastic, aluminium, and yes even poorly designed timber windows had been fitted - a complete mish mash. The character and appearance of the Victorian area was enhanced and the lives of their tenants improved with hundreds of affordable PVC-U Vintage Collection sash windows (see pictures below).



Wood stained timber framed top-hung casements (installed some 30years ago) were replaced with sliding box sash.



1990's timber framed double glazing replaced with PVC-U in a more appropriate design and traditional colour to enhance the property.

“

We used Masterframe Windows as they are better value than hardwood, but give the same appearance. The windows have a deep bottom rail and glazing bar and a unique continuous horn, which Masterframe clearly spent a lot of time and effort on... it is an excellent product, with very positive feedback from customers.

Senior Technical Officer

”



Civic Award for restoration, Before and after



Enhancing the Conservation Area by bringing back architectural character - before and after



Plume School, Maldon



6. Other buildings - converted to residential use

Replacement windows in other buildings will probably need planning approval (unless they are treated as 'like for like' replacements by the council.

The planning authority will demand that character and appearance are conserved on what are often large and sensitive schemes – customers will also be concerned to keep project cost reasonable and have other special requirements, for example the need to introduce new means of fire escape from newly created habitable rooms.

For schools the emphasis is often for an affordable initial cost, reduced maintenance, long-term durability together with an appropriate appearance to conserve the character of the buildings.

Wombourne Windows are happy to discuss plans with clients from initial concept right through to on-site works.



special arched heads



4.5m high sash windows



The client had two special concerns: a high quality appearance across many distinctive designs; and for durability in the face of very high wind loadings and extreme coastal exposure.



Authentic looking replacement windows also can help protect the fabric of the building and improve insulation and ventilation.



7. A non-designated heritage asset

In the case of Locally Listed Buildings and other 'non-designated heritage assets' the normal permitted development rights apply – but greater sensitivity is needed in the light of the local council's recognition of the importance of the building.

Because it is a public house, planning permission was required for work at *The Swan Inn* – to replace some 40 windows and doors (below).

Time was of the essence The pub continued to trade throughout the installation – an example of the MWombourne Windows team working well with the planners and the client.



Locally listed we helped secure the contract and approval from the planners for new windows for the whole estate of flats, apartments and houses. Achieves an excellent visual match. Its hard to see any difference but these are before and after photographs!



At the front the aim was that the replacement go unnoticed to 'conserve' the appearance at the building, At the rear a whole mess of different windows were changed and unified to 'enhance' the appearance.



Grade 2 Listed Building (North Somerset)



8. A listed or specially designated dwelling

For Listed Buildings the starting point is that the historic fabric should be repaired or renovated rather than replaced – but this is not always viable.

If replacement is accepted, often the use of ‘traditional’ materials will be preferred by the local planning authority – however each case should be assessed on its own merits. It is advisable to seek independent specialist advice to understand the building and circumstances, and only then negotiate with the planners.

North Somerset Council commissioned a project to replace the original timber box sashes to the front of these Grade 2 Listed properties built in 1870’s terraces. The Council chose PVC-U over timber.

Other forms of important designation include World Heritage Sites – a designation covering an area of international historical or architectural importance. Again, it is important to understand the reasons for the designation and what is ‘significant’.

When the owners of a B & B considered replacement windows their planners were naturally interested in the proposal as the property stands within the walls of, a World Heritage site in Wales. Having seen the sample and after much careful consideration, they approved the installation of Wombourne Windows Vintage PVC-U sash windows.



PVC-U windows fitted in World Heritage site



“

The windows are in keeping with the original Victorian style and retain the traditional feel, in contrast to the unauthorised replacement of unsympathetic casements next door which are clearly out of character.

Article 4 Directive - Doug James

”

10. Useful information sources

10.1. Some useful information sources for town planning and other local building history are listed below:

a) Local planning authority (usually the local council) website

Planning application search. To access the planning history of the property. This should contain details of all previous planning applications and decisions and, probably, some detail of any planning 'constraints' affecting the property – such as whether it is a Listed Building or in a Conservation Area.

Heritage or Conservation pages. Will list all the Conservation Areas, with access to maps to identify their extent and pdf copies of any Conservation Area Appraisals and Management Plans. There may be links or cross references to Supplementary Planning Documents and Policies of the council in relation to 'urban design', 'conservation', Conservation Areas and Listed Buildings. This should include reference to and copies of any Article 4 Directions.

Listed buildings. The pages may give a simple list of Locally Listed Buildings but will probably not attempt to list the designated Listed Buildings – instead there will be a link to the official national list on the Historic England web pages for this. (Also see the unofficial British Listed Buildings web pages)

Planning application pages. Will detail what 'pre-application' services are available (probably at a charge), and what should be included in any planning application – see the 'local planning checklist' of requirements. Most councils then direct you to the national Planning Portal for further information and submit the application.

Local Plan or Planning Policy. For copies of the Local Plan, any relevant supplementary planning documents, neighbourhood plans etc

b) Government

Planning Portal. National online resource for generic advice about householder permitted development rights and other advice and provision to apply for planning permission, Listed Building Consent and a Certificate of Lawful Development - Proposed.

In turn these pages refer you to national policies and guidance including the National Planning Policy Framework (NPPF) and Planning Practice Guidance web pages – see Gov.uk below.

Gov.uk. The Government's online portal to access the Department for Communities and Local Government (DCLG) - responsible for town planning, and Department for Culture, Media and Sport (DCMS) responsible for culture and heritage including Historic England. The former pages present the NPPF and a directly related online guidance Planning Practice Guidance.

c) Other

Historic England. The advisors to Government on heritage conservation, their comprehensive web site offers access to specialist advice and guidance from the perspective of the organisation. This includes information on upgrading insulation, repairs and maintenance of windows.

Heritage Environment Record. Their official catalogue of all heritage and archaeological resources for the area, often hosted on the websites of the higher tier local authorities such as County Councils. There is also a London wide data set.

Other specialist sources. This Includes local history library and societies, as well as specialist interest groups such as Victorian Society, SPAB (Society for the Protection of Ancient Buildings), and English Historic Towns Forum etc.

It is also worth looking at the British Listed Building web page for some further information and potentially photographs of Listed Buildings – not available on the official national list hosted by Historic England.

Disclaimer

The town planning opinion and advice included in this document is that of an independent professional town planner and is intended for general guidance only. This is not intended to replace the need to carry out your own checks or the role of the local planning authority.

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sales@wombourne-windows.co.uk





Hotel

P.H.

Public
Park

Hosp.

Gov.
Ho.

O.

P.H.

Gar.

Hotel

Hotel

Gar.

Bus St.

P.H.

Park