
Appeal Decision

Site visit made on 3 October 2016

by J Flack BA Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 October 2016

Appeal Ref: APP/C1570/Y/16/3149842

1 Waterbutt Row, Cambridge Road, Quendon, Essex CB11 3XL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against the grant of listed building consent subject to conditions.
 - The appeal is made by Mrs Tracey Hepting against the decision of Uttlesford District Council.
 - Listed building consent Ref UTT/15/3016/LB was granted on 25 November 2015 subject to conditions.
 - The works proposed are: *Replace timber cladding to exterior walls of rear extension, replace windows to side and rear of property, replace side access door and replace 2 no. interior doors in rear extension.*
 - The condition in dispute is No 2 which states that: *The replacement windows hereby permitted shall be of the design in the quotation FY_2203 with the windows numbered 5a, 5b, 4 and 9 single glazed with slender ovolo bars held in with putty, whilst the windows to the rear and side window 3a are as detailed in the quotation. All windows to be side-hung.*
 - The reason for the condition is: *In the interests of the special architectural importance and appearance of the listed building in accordance with Uttlesford Local Plan Policy ENV2.*
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Decision

1. The appeal is allowed and the listed building consent Ref UTT/15/3016/LB granted for replace timber cladding to exterior walls of rear extension, replace windows to side and rear of property, replace side access door and replace 2 no. interior doors in rear extension, granted on 25 November 2015 by Uttlesford District Council, is varied by deleting condition No 2 and substituting for it the following condition:

The replacement windows hereby permitted shall be of the design in the quotation FY_2203. All windows are to be as detailed in the quotation and side-hung.

Main Issue

2. The main issue is whether the amendments of the disputed condition sought by the appellant would preserve the Grade II listed building at 1 and 2 Waterbutt Row (listed as 1 and 2 Cambridge Road).

Reasons

1. Quendon is a very attractive village possessing many historic buildings. The appeal listed building dates from the early C19 and comprises two very modest cottages which front directly onto the street. The appeal cottage, No 1, has a

modern two storey rear extension whose flat roof and timber clad walls distinguish it clearly from the original element of the cottage, which is constructed from red brick with a slated pitched roof.

2. The listed building consent authorises the replacement of the windows in the modern extension, together with the four windows (the appeal windows) in the side elevation of the original element. The disputed condition requires all of the replacement windows to be of the design in a specified quotation, which is before me, but with the exception that the appeal windows are required to be single glazed, with slender¹ ovolo bars held in with putty. The appellant objects to both of these requirements, although she does not object to a further requirement that all the windows be side hung.
3. The principal contribution of the appeal house to the significance of the listed building is made by the front elevation. Its two sash windows and front door appear to be of considerable age, and define the character of this appealingly modest cottage. The red brick of the original element's side elevation complements the front elevation, but the present appeal windows are a detracting feature. No detailed analysis of the building is before me, but it is possible that least some of the appeal window apertures are not original to the building. As the appellant says, it would be unusual for a cottage of this age to have so many substantial side elevation windows, and it may well be that some of the apertures have been inserted or enlarged in compensation for the loss of rear elevation windows arising from the construction of the full width rear extension.
4. In any event, it is clearly apparent that the present appeal windows fitted to those apertures are not original to the building. Whether or not they were installed as an expedient, there is no suggestion that they are unauthorised and they therefore form the starting point for my assessment. I note that the windows are single glazed, with the panes of glass secured in place by putty. However, whilst these are positive attributes consistent with traditional window carpentry, they are substantially outweighed by other aspects of the windows' design and construction. They are of an unbalanced design, and the inappropriately modern top hung fanlights and protruding stormproof design of all the opening elements are very prominent features, giving the windows the appearance of standard windows fitted to 1970s suburban housing. They are consequently a prominently dissonant and jarring feature in the context of this early C19 cottage.
5. The proposed replacement windows would not feature putty fixing and would have sealed double glazed units. However, these would not be particularly prominent given the modest gap between the panes and the light grey spacer bars. Moreover, whilst the double glazing would be a wholly contemporary element, the disputed condition requires adherence to the design described in the quotation in respects other than those specifically disapproved. It follows that the consent authorises the installation of replacement windows with obvious contemporary features, including head drips and easyclean friction hinges. Nor does the disputed condition unambiguously rule out the use of the specified surface-applied glazing bars, or require that the putty fixing be traditionally applied to the external, rather than internal, face of the glass. I also note that whilst the condition requires slender ovolo glazing bars, no precise specification is given or required to be approved, and whilst the quotation does not specify

¹ I take "slendor" to be a misspelling.

the profile section of the glazing bars, the diagrams show that they would be very narrow and therefore unobtrusive.

6. In any case, other aspects of the design must be considered. Like the present appeal windows, the proposed replacements would be of painted timber construction. In contrast, however, the proposed windows would be traditional flush casements, and be of a very simple and balanced design. These attributes would produce a much more reserved and sympathetic appearance than the present windows. This would far better complement the character of the listed building whilst not attempting to suggest that the windows were original. These positive attributes count heavily in favour of the replacement windows, and in my view outweigh the discordancy of the additional contemporary features which the proposed replacement windows would possess in comparison to the windows authorised by the consent.
7. The desirability of preserving heritage assets is a matter to which considerable importance and weight is to be given, and I acknowledge that windows are an important element of any listed building. However, for the above reasons, I conclude that the amendments of the disputed condition sought by the appellant would preserve the special architectural and historic interest of the listed building. I also note that whilst the listed building lies within the Quendon and Rickling conservation area, the Council has not sought to assert that there would be harm to this. In my view, the preservation of the listed building would also serve to maintain the positive contribution which it makes to the conservation area, and the character and appearance of this would also thereby be preserved. There would therefore not be conflict with the objective of the National Planning Policy Framework that heritage assets should be preserved in a manner appropriate to their significance (paragraph 17) or the objectives of saved Policy ENV2 of the Local Plan².
8. The appeal is therefore allowed, and the disputed condition varied as set out in my decision above.

J Flack

INSPECTOR

² Uttlesford Local Plan, adopted 20 January 2005