
Appeal Decision

Site visit made on 15 November 2016

by Jacqueline Wilkinson Reg. Architect IHBC

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

Decision date: 6 December 2016

Appeal Ref: APP/C1625/Y/16/3157710

Cherry Cottage, High Street, Bisley, Stroud, GL6 7BA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Miss Kimberley Willett against the decision of Stroud District Council.
 - The application Ref S.16/1423/LBC, dated 24 June 2016, was refused by notice dated 30 August 2016.
 - The works proposed are to replace the existing windows of the property.
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Decision

1. With respect windows 1, 2 and 3 (the front windows) the appeal is dismissed.
2. With respect to windows 4 and 5 (the rear windows) the appeal is allowed and listed building consent is granted for the replacement of windows 4 and 5 at Cherry Cottage, High Street, Bisley Stroud, GL6 7BA in accordance with the terms of the application Ref S.16/1423/LBC dated 24 June 2016 subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) No work shall start on the making of the replacement windows until full details of the proposed replacement windows, to include elevations, vertical and horizontal cross sections at a scale of 1:20 showing the relationship with the reveals and cills, and the proposed colour, are submitted to and approved by the local planning authority in writing. The work shall be carried out in accordance with the approved details.

Main Issue

3. The main issue is whether the proposal would preserve the listed building, and if not, whether there would be any public benefits arising which would outweigh the harm to the significance of the listed building.

Reasons

4. The Council refers to development plan policies from the Stroud District Local Plan 2015. However, I am required to assess this listed building appeal with reference to the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) only and the relevant paragraphs within Section 12 of the National Planning Policy Framework (the Framework).

5. The Parish Council refers to the Council's Sustainable Construction Performance Introduction. This has not been put before me in full but from the quoted section, it recognises that regard should be had to the special characteristics of historic buildings. Indeed the duty under Section 16 of the Act is to have special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it may possess.
6. In assessing this appeal I have had regard to the advice set out by Historic England (HE) in "*Traditional Windows – their care, repair and upgrading*" 2015. This advice sets out the importance of windows to the significance of historic buildings and explains the various techniques of repair. It also sets out the growing body of scientific information about the comparative thermal performance of traditional windows and different types of glazing. As they are advisors to the Government on the historic environment, this HE advice is an important material consideration.
7. The list description indicates that Cherry Cottage was once part of the former inn and coach house to the north. It refers to C20 inserted single light casements, but is not specific about their location. I saw that the former inn, now the post office/store, had a set of virtually identical ground floor windows to Cherry Cottage. These comprise lower frameless panes of glass directly bedded into the chamfered stone mullions, with inward opening iron casements above. The date of this suite of windows may well be early C20th but could be earlier, which needs to be established through research and/or photographic records if possible.
8. The Council has made its case based on its assessment of the proposed replacement windows. However, in order to satisfy the tests of the Act, it is necessary to first assess whether the existing windows are a feature of special architectural or historic significance. The windows in Cherry Cottage are all different, so I will deal with each one in turn.

Window 1 (street level ground floor)

9. The ground floor front window of the appeal property is a three light stone mullioned window. The central light is two direct bedded frameless panes with a central timber glazing bar. To each side of this is a light with a top inward opening iron casement, held in the open position by a curved stopped stay and held shut by a central catch, with a frameless direct bedded pane of glass below. Internally the window is set in a deep reveal, with a window cill approximately 150mm/6 inches deep and slightly chamfered reveals.
10. The metal casements have the hallmark (in their jointing and construction) of locally made blacksmith's windows. These three lights are good examples of surviving vernacular windows and they have group value with the adjacent listed building, which are described in the list together. This ground floor window is therefore a feature of special architectural and historic interest.

Windows 2 and 3 (first floor street elevation)

11. These are a pair of two light stone mullioned windows. Window 2 has one fixed light with a thin metal cross bar and the top and bottom panes are glazed directly into the stone. The other light is an outward opening metal casement with a metal stay and a latch with a vent slot. The cill of this window is about 75mm/3 inches deep. The provenance of the metal casement has not been

established but it is likely to be of historic interest and the fixed bedded panes are a feature of special architectural and historic interest.

12. Window 3 is slightly different to window 2. It has a fixed light with directly glazed top and bottom panes with a wider vertical flat metal cross bar. The outward opening casement differs to the one in Window 2 and it has a modern aluminium handle. This metal casement may be later in date, although this needs to be established. The window cill here is approximately 500mm/20 inches wide.

Windows 4 and 5 (upper ground floor rear)

13. These are modern timber framed windows with top hung casements in what are likely to be altered modern openings, as indicated by the concrete lintels. The rooms in question are currently being altered and the interiors contain little historic interest. These windows are set well below street level and although they would be partially visible from the lane above the cottage, their replacement, subject to a suitably proportioned composition which could be required by a condition, would preserve the listed building.

Discussion on the existing windows

14. The appellant makes the case that the ground floor windows are in poor condition and that they are insecure. The Historic England advice sets out the methods of repair for historic iron windows, including rust removal and the use of rust prevention primers. The appeal windows are obviously neglected and have suffered from a build-up of paint and are rusty in parts. However there are specialist companies which can repair this type of frame. I have no evidence before me that persuades me that these windows are at the end of their life, for example in the form of a report from an experienced specialist in the restoration of metal casements.
15. The loss of the direct bedded panes would not only fail to preserve the listed building but they are also part of the suite of direct bedded glazed mullions which gives the listed building and its neighbour a distinctive historic character.
16. Once repaired the ground floor inward opening casements would be reasonably secure, as the opening parts would be too small for an individual to enter and the stopped stay prevents their full opening. Additional security fittings could also be provided. The proposed casements would be outward opening, but as they would open over the pavement there would be limits on how far they could open. They would also require security stays.
17. The appellant also makes the case that there is no space for secondary glazing. However, where there is a cill and reveal of reasonable depth, the use of secondary glazing could be possible. There are many different types of systems to choose from, including types that can be removed in summer, which are reasonably efficient in thermal and acoustic terms. HE also promotes the use of heavy or even insulated curtains, which are a cost effective solution.
18. I therefore conclude that the proposed removal of the existing front windows has been insufficiently justified. These windows are features of special architectural and historic interest, so their removal would be at odds with the requirements of Section 16 of the Act, which requires that such features are preserved.

The proposed replacement windows.

19. The submitted documents do not show each window design, but an extract from a manufactures catalogue is supported by a written description.
20. The proposed frames would be a combination of metal outward opening casements and fixed lights. The fixed light frame would be 25mm overall, with 16mm insulated glass units (IGUs) or double glazing. Each casement would be subdivided centrally by an applied glazing bar detail to the outer pane of the IGU. The method of fixing to the stone mullion is not shown. The overall depth of the fixed light frame would be 41mm and the opening casement 54mm. This would set up a visually noticeable disparity in frame depths and in comparison to the frameless direct bedded glass and the very light frames of the existing casements, these proposed frames would appear excessively bulky. This bulkiness would also be increased by the depth of the IGUs, with the side seals visible past the aluminium bead.
21. The question of colour has been raised by the appellant. Nearly all the painted windows in the village are white or pale "National Trust" shades. The decision about colour could be a reserved matter, but careful thought needs to be given in particular to the group value of this row of listed buildings. Any significant variation in colour needs to be justified by research and convincing evidence.
22. The Parish Council has referred to the replacement windows in Lion House nearby which I saw from the outside. I have no information about these windows, their manufacturer, whether they received listed building consent, what they replaced or what historical evidence there was for the use of black in a village with almost all white frames. However, in walking along the High Street I saw that the use of directly bedded unframed glazing within stone mullions in combination with iron or metal opening casements of various ages and designs, was typical and indeed a distinctive feature of a number of listed buildings along this part of the High Street¹.
23. Each case must be considered on its merits and I have explained that in the case of Cherry Cottage, which is part of a historically interconnected group, the significance of the existing windows has not been clearly understood nor have the practicalities of repair and secondary glazing been fully explored. Until this is done, the proposal fails the high tests set out in Section 16 of the Act.

Conclusions

24. I have concluded that the replacement of the rear windows (4 and 5) would not harm the significance of the listed building. Subject to a condition requiring elevations and details, I therefore conclude that this part of the proposed works would preserve the listed building.
25. However, the removal of the existing windows at the front has not been justified and I am not persuaded that the significance of the existing windows in this listed building (and the adjacent listed building) has been fully or clearly understood. This runs contrary to the informed approach required by paragraph 128 of the Framework. The removal of these windows would

¹ For example the first floor of The Old Post Office, the building (name not known) to the right when facing the arch/door to British Legion), amongst others.

- therefore fail to preserve a feature of special architectural and historic interest of the listed building, which would fail the test set out in Section 16 of the Act.
26. Turning to the proposed replacement windows, I have found that due to their frame depth the replacement windows would fail to replicate the special feature of directly bedded glazing to be found on this listed building. The use of sealed IGU's would be at odds with the distinctive light weight appearance of the existing windows. The use of superficially applied glazing bars would lack the architectural authenticity required to preserve the building. For these reasons the proposed replacement windows would fail to preserve the listed building.
27. I am required by paragraph 134 of the Framework, to balance the harm I have identified above against any public benefit arising from the proposal.
28. The improvement of the thermal performance of the windows is an important objective and I understand the Parish's support on this basis. However, there is a growing body of scientifically proven research, as published by Historic England, Historic Scotland and others, which demonstrates that alternative approaches are just as efficient and are indeed more cost effective. The HE advice discusses a number of ways the internal comfort and thermal efficiency can be improved by means other than double glazing to allow the building to continue in its optimum use as a home. I therefore conclude that there are no public benefits which would outweigh the harm caused to the significance of the listed building.
29. For the reasons given above I conclude that the appeal with respect to the front windows (windows 1, 2 and 3) should fail.

Jacqueline Wilkinson

INSPECTOR