The Planning Inspectorate

Appeal Decision

Site visit made on 13 June 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 06 July 2017

Appeal Ref: APP/X1355/Y/16/3167774
14 Office Square, Staindrop, Darlington, Co Durham DL2 3NG

- 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 Mr Geoffrey Eastwood against the decision of Durham County Council.
- The application Ref: DM/16/00637/LB, dated, 8 June 2015 was refused by notice dated 22 June 2016.
- The works proposed are the installation of 2 no. uPVC windows.

Decision

1. The appeal is dismissed and listed building consent is refused for the installation of 2 no. uPVC windows.

Preliminary Matters

2. As the works are in a conservation area and involves a listed building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

3. The appellant has failed to provide a description of the proposal on either the application form or the appeal form. Consequently, I have used a shortened version of the description as it appears on the decision notice for the purposes of this appeal.

Main Issues

4. The main issues are whether the proposal would preserve a Grade II listed building, 14 Office Square, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Staindrop Conservation Area.

Reasons

5. The appeal property occupies a highly prominent position on the main thoroughfare of the village of Staindrop. The works have already occurred and relate to the installation of two uPVC windows on the northern and southern gable ends of the property.

6. The Staindrop Conservation Area (CA) was originally designated in 1971 and covers an elongated area encompassing the historic core of the village that is set out along a former turnpike road (now the A688) between Durham and Barnard Castle. It is an attractive mixture of 18th and 19th century houses. The layout of the village green and the street pattern originate from the

medieval period. The character of the buildings in the village is largely Georgian with stone buildings ranging from one to three storeys with some rendered in pastel colours. Occasional, historic brick buildings are also present. The traditional roofing materials comprise pantiles or Welsh slate. There are a large number of bowed and bayed windows, ornamental fanlights and overlights. The majority of the remaining windows of historic merit typically comprise either traditional multi-pane sash windows dating from the 18th century or, more frequently, 19th century replacements comprising two or four pane sash windows. Whilst a significant number have been lost, they nevertheless remain an important and highly significant architectural feature. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily associated with the traditional form of its windows.

7. The building was originally listed in 1966 and was built in the early-mid 18th century. It is constructed from coursed rubble with irregular quoins and a mixture of simple brick and ashlar dressings. It has a concrete-tiled roof with stone gable copings and rendered chimneys. The roof slope is steeply-pitched with moulded kneelers. The stone window sills are plain and project from the window openings on the southern and eastern elevations. The northern gable end window has no sill and the window openings on the main elevation are supported by flat brick arches. The building is two stories high and is three windows wide with a centrally positioned doorway. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with its vernacular design and traditional architectural features.

8. I observed from my site visit that the northern gable end window is highly prominent and faces historic buildings with a significant number of traditional wooden sash windows, some of which are of historic origin with non-float glass. Whilst I accept that the southern gable end window is less prominent, it is nevertheless clearly visible from the public domain. Notwithstanding the inappropriate uPVC windows in some of the adjoining properties, the traditional upper storey windows of the surrounding area are predominantly wooden and comprise either 2 over 2 or 3 over 3 pane sash windows whilst the larger, traditional lower storey windows are characterised by 2 over 2, horned sashes. The use of a single pane casement window is highly incongruent in this context and its design is therefore detrimental the appearance of both the listed building and the wider CA. This harm is further compounded by the excessively bulky frames and reflective, alien material that has been used in their construction.

9. The appellant is of the opinion that uPVC windows are necessary in order to reduce the need for repair and maintenance because they are not as readily accessible as other windows, particularly on the southern gable end. It has also been suggested that the windows are in keeping with the uPVC windows of the adjoining properties. I acknowledge the difficulties posed by gaining external access to the southern gable end window given the adjoining roof slope. However, the assumption that such windows require less maintenance is not well founded because the frames of uPVC windows generally need regular cleaning to prevent discolouration from dirt and ultra violet light. They also need to be lubricated and adjusted annually and weather-seals and gaskets renewed at least every ten years. Moreover, repairs can be a major problem because complete replacement is often the only viable option, unlike wooden windows. I accept that similar replacement windows are present at

nearby properties but I do not have any evidence before me concerning the circumstances of these alterations or any indication as to whether or not the changes predate current policy or guidance. Furthermore, I note that Nos 12 and 13 Office Square are not listed buildings and that the very high standards expected of materials and finishes for nationally important buildings does not consequently apply. In any event, the existence of harm is not a justification for further harm.

10. Given the above, I find that the works have failed to preserve the special interest of the listed building and I consequently give this harm considerable importance and weight in the planning balance of this appeal.

11. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Given the size of the windows, I find the harm to be less than substantial in this instance. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use. However, the continued viable use of the property as a residential dwelling is not dependent on the proposed works, as alternatives exist and the building consequently has an ongoing residential use that would not cease in its absence. No public benefits have been suggested in relation to the CA and I am satisfied that none are present.

12. Whilst the harm to the significance of these heritage assets is less than substantial, I have no evidence before me to suggest that any public benefit outweighs the harm to either the listed building or the conservation area. I therefore conclude that the works have failed to preserve the special architectural and historic interest of the Grade II listed building and have also failed to preserve the character and appearance of the Staindrop Conservation Area. This conflicts with paragraph 134 of the Framework and local policies insofar as they seek to implement the Act.

Other Matter

13. I acknowledge that the use of uPVC windows in the gable ends formed part of the pre-application discussions with the Council. However, whether or not this particular approach was endorsed is immaterial. This is because any advice is just that and the Council is entitled to reach a different conclusion on the basis of all the available evidence. Similarly, I must also consider all the evidence before me in reaching my decision. Consequently, this matter carries little weight in the balance of this appeal.

Conclusion

14. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

Roger Catchpole

INSPECTOR