



Appeal Decision

Site visit made on 31 October 2017

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

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

Decision date: 20th November 2017

Appeal Ref: APP/J0405/Y/17/3179856

The Old Vicarage, White Horse Lane, Whitchurch HP22 4JZ

- 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 James Miller against the decision of Aylesbury Vale District Council.
 - The application Ref 16/04162/ALB, dated 18 November 2016, was refused by notice dated 16 January 2017.
 - The works proposed are replacement of some single glazed sashes to double glazed sashes within existing window frames.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposed works would preserve the special architectural and historic interest of a grade II listed building known as the Old Vicarage (listed as The Vicarage, stable, summerhouse and eastern boundary wall) and whether any harm would be caused to the significance of the designated heritage asset.

Reasons

3. The Old Vicarage stands at the end of a no through road, White Horse Lane opposite St. John's Church. There is a modern church hall and carpark on the land between these 2 buildings. These buildings are within Whitchurch Conservation Area (WCA) that covers the heart of the settlement. The Old Vicarage dates from 1845 and is constructed in red brick and slate and has sash windows on the majority of its elevations.
4. From the details available to me, including the listing description, I consider that the significance and special interest of the listed building is largely derived from its age, form, fabric, association with St. John's Church and architectural features which include the windows. I note that the list description states that the building is relatively unaltered externally. Even though it is clear that the building has been recently refurbished and extended, with a high quality of craftsmanship, the exterior of the building remains relatively unaltered.
5. From my observations at the site visit, and the details available to me I consider that the significance of WCA is mainly drawn from the predominantly rural character and range of traditional buildings that it contains

together with its use of materials, pattern of development and the relationship of buildings to the spaces around them.

6. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
7. Paragraph 132 of the National Planning Policy Framework (the Framework) advises that significance can be harmed or lost through alteration or destruction of the heritage asset.
8. Windows are often among the most prominent features and an integral part of the design of a listed building and can be indicators of when the building was built. The design, materials and details of construction of historic windows are all important to the significance of a heritage asset and its special interest.
9. There is some ambiguity in the details provided as to what works are proposed. The design and access statement states that the application seeks to modify certain windows by adding double glazed units in new matching sashes fitted to the existing window frames. It goes on to state that the size of sash timbers and astragals will match the existing. The submitted drawings illustrate a vertical section and jamb detail and these state that the new sashes will have individual 12mm double glazed panes and astragals to be 44 x 20 and match the existing profiles.
10. However, the appellant's statement of case indicates that he wishes to replace some of the glazing in the existing sashes to double glazed panes wherever possible. It was also ambiguous in the original application as to which windows were included in the application. The appellant has now stated that the windows shown as W10, W21, W6-9 and W20 are those he wishes to alter.
11. The Framework requires that the significance of a heritage asset should be established, to a level of detail proportionate to the asset's importance. On site, and judging by the submitted drawings, it was apparent that there are at least 2 designs of historic sashes within the building and that W8 is a set of French doors and not a sash window. There is limited evidence before me of any rigorous attempt to investigate the architectural or historic value and, hence, significance of the building as a whole or its individual architectural features, other than quoting the list description.
12. I acknowledge that the drawings do indicate which parts of the glazing are considered to be modern plate glass. Nevertheless, I consider that the limited analysis of significance and the way in which the scheme is presented fails to fully comply with the requirements of paragraph 128 of the Framework.
13. In relation to the windows/doors indicated to be altered a number of the sashes and the doors appear to be modern replacements. However, the majority of sashes appear to be part of the historic fabric of the building. They have very slim sections to the meeting rails and stiles and the glazing bars/astragals also have very slim sections typical of the architectural style of the 19th century.
14. Historic England has recently reissued a guidance document '*Traditional Windows Their Care, Repair and Upgrading*'. In relation to adding insulating

glass units it states that the "*repair, draught-proofing or secondary glazing is likely to be more cost-effective than replacement with double glazing*".¹ It goes on to state that in practical terms it is often impossible to replace existing glass in multi-paned historic windows with double glazing even using the 'slim-profile' units without having to alter the frames and glazing bars to accommodate the increased thickness and weight of the glazing. In my experience this issue is more likely to occur where the existing windows have very slim sections as with those in the appeal building.

15. Even though the appellant has stated that the glazing will be replaced within the existing sashes there is little evidence provided on how that would be achieved and whether the existing windows would need to be altered in any way. Moreover, the typical internal elevation illustrated on the submitted drawings does not reflect all the designs of the windows/doors involved and the proposed glazing bars/astragals would appear to have an appreciably thicker section than those in the majority of the existing windows. Even though many of the glass panes do contain modern glass the replacement of the sashes would involve the loss of historic fabric and the existing windows appear to be in a good state of repair.
16. Furthermore, the reflective characteristics of the windows would clearly identify them as double glazed units and not historically accurate replacements. This would be added to by the uncharacteristic appearance of the depth of the double glazing which would be seen within the frame. Whatever the colour of the spacers used in the units they would also be visible within the frame.
17. Taking into account all of the above, there is insufficient evidence to indicate that the proposed works would not harm the special architectural and historic interest of the listed building. Moreover, from the information before me it would appear that the proposed works would not preserve its special interest. Consequently, the works would be contrary to the expectations of the Act. I must attach considerable importance and weight to these considerations when reaching my decision.
18. In this case I conclude that the harm caused to the designated heritage asset, would be, in the context of the significance of the asset as a whole and in the language of the Framework, less than substantial. In those circumstances, paragraph 134 of the Framework says that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
19. Whilst the Council make no reference in their reason for refusal to the effect of the works on the character and appearance of WCA, as a statutory consideration, I am required to have regard to this matter when determining the appeal. In my view it follows that if the special interest of a listed building within a conservation area is materially diminished, it follows that the character and appearance of that conservation area as a whole is also similarly incrementally harmed. Whilst the magnitude of that harm may be concluded as also less than substantial, in the context of the WCA as a whole, it would nevertheless fail to preserve it, and so be in conflict with the requirements of the Act.

¹ Section 4.3 page 53.

20. The appellant argues that if the house is cold and due to their height within the room and the single panes of glass the windows are a safety risk to small children and pets. As such, the use of the dwelling as a social hub and family home will be restricted. He also wishes to improve the environmental sustainability and security of the property. Whilst these matters, may have some impact on the use of the building I have been given no indication that its viable use as a single dwelling is seriously threatened and that the issues raised could not be addressed by alternative means such as secondary glazing.
21. Furthermore, even though improvements in thermal efficiency and security can reasonably be considered public benefits it has also not been demonstrated that such improvements could also not be achieved through alternative means, so avoiding the harm identified to the designated heritage asset. As such, I consider that little weight can be given to these modest benefits.
22. Even though I have found that the harm to the designated heritage assets is less than substantial it is not to be treated as a less than substantial objection to the proposal. The public benefits attributable to the proposal would not outweigh the considerable importance and weight to be given to the harm to the heritage asset. As such, the proposal would not comply with paragraph 134 of the Framework.

Conclusion

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

D. Boffin

INSPECTOR