



Appeal Decision

Site visit made on 21 November 2017

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 29th November 2017

Appeal Ref: APP/K2230/Y/17/3179614

Granby Place, 1 - 3 High Street, Northfleet, Gravesend DA11 9EZ

- 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 Clifford Dawe against the decision of Gravesend Borough Council.
 - The application Ref 20170108, dated 5 February 2017, was refused by the Council by notice dated 26 May 2017.
 - The works proposed are retention of 8 UPVc double glazed casement windows and UPVc door and the proposed replacement of 3no. sliding sash windows from UPVc double glazed to timber, slim-lite double glazed windows on the single storey side extension.
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Decision

1. I dismiss the appeal insofar as it relates to the door and window 4. I allow the appeal insofar as it relates to windows 1, 2, 3, 8, 9, 10 and 11, and the replacement of windows 5, 6 and 7. I grant listed building consent for the retention of 7 windows as installed and the replacement of 3 sliding sash windows from uPVC double glazed to timber, at Granby Place, 1 - 3 High Street, Northfleet, Gravesend DA11 9EZ in accordance with the terms of the application, Ref 20170108, dated 5 February 2017, and the plans submitted with it, so far as relevant to that part of the works hereby permitted and subject to the following condition:
 - 1) Within 3 months of the date of this Decision, written proof of a contract having been entered into for the supply and fitting of windows 5, 6 and 7 together with a programme for that work to be carried out, is to have been submitted for the written approval of the Local Planning Authority. The works are to be carried out in accordance with Livingwood drawings TSS/CW-101, 102, 103 and 104 only, unless otherwise agreed in writing by the Local Planning Authority.

Reasons

2. The appeal seeks the retention of some windows already in place, together with the replacement of 3 uPVC windows with timber sash windows, and the Council do not object to that part of the works. The main issue is therefore the effect of the works on the architectural or historic significance of a listed building and its setting within the Hill Conservation Area. The building at 1 and 2 Granby Place is described in the statutory list as *'circa 1830. A pair of semi-detached, 2-storey houses in yellow brick with hipped slate roof. Six sash windows. Two round-headed doorways with reeded pilasters, semi-circular fanlights and doors of 6 moulded and fielded panels'*.

3. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
4. These duties are reflected in Policy CS20 of the Gravesham Local Plan Core Strategy and Policies TC2 and TC3 of the Gravesham Local Plan First Review. Policy CS19 of the Core Strategy concerns good design. The policies of the Development Plan are a material consideration only in this listed building consent appeal. The Council has published a Management Plan for the Northfleet conservation areas generally and a Character Appraisal for the Hill Conservation Area in particular. Replacement windows are referred to, as are the presence of sash windows
5. Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings. The Government attaches great importance to the design of the built environment as set out in paragraph 56; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
6. The appellant draws attention to the provisions of the Enterprise and Regulatory Reform Act 2013, and on the evidence of the site inspection it appears quite likely that the latest addition, at least, would not be considered to be listed if 1 and 2 Granby Place were being considered for listing now. As it is the significance of that latest addition is very low, in terms of its aesthetic, evidential, cultural and historic value. The intermediately dated addition has moderate value in each case, the short elevation adjacent to the front elevation of the main building being of particular aesthetic and historic value, and significant in the setting of that building and the conservation area.
7. The front and side of the main building at 1 and 2 Granby Place has had its windows replaced and these are now timber sash windows of a traditional design, with sealed double-glazed panes, having no glazing bars. The provision of double glazing appears to result from an appeal decision.
8. Looking at each window in turn and in the number order shown on the drawings, the findings of the site inspection and the subsequent appraisal are as follows;

Window 1, elevation 1: This is a fixed light 'slot' window of modern proportions albeit placed in the intermediate dated building. It causes no harm adjacent to the modern building and is away from the main listed building. This window is acceptable as installed.

Window 2, elevation 1: Although on a part of the building with moderate significance, it is within a recess and heavily influenced by the architectural treatment of the modern building of low significance, and is away from the main listed building. This window is acceptable as installed.

Window 3, elevation 2: This is adjacent to window 2 and is also in the low significance addition, set in from and away from the main listed building. The form is actually 2 side-hung casements and a fixed central light, and is acceptable as installed.

Window 4, elevation 2: This is adjacent to a correctly detailed vertically sliding sash on the main listed building, has the correct proportions for such a window and is in a part of the building with moderate significance. The present window lacks the definition and shadow-line of a true sash window and the material jars with that adjacent to it. This window is not acceptable as installed.

Windows 5, 6 and 7, elevation 3: These are proposed to be replaced as timber sliding sash windows, and the view of the Council is concurred with that this is acceptable. The proportions lend themselves to this arrangement, the existing lintols and cills are of historic and aesthetic value and the use of uPVC windows now in place fails for the same reasons as set out for window 4. The view from public places adds weight to this finding. This Decision however needs to make clear that not only is the proposed replacement acceptable, but that the retention of the present windows is unacceptable for those reasons.

Window 8, elevation 3: This is non-traditional in arrangement and proportions, although it is sited within the part of the building with moderate significance. It appears that this area of brickwork has been re-built at some time although the concrete lintol had been retained from what may have been a door, on the evidence of the depth of newer brickwork. The effect is of no harm to the significance of the main listed building or to the part in which it is sited. This window is acceptable as installed.

Window 9, elevation 3: No work is proposed here, but these modern clerestory windows are acceptable for the reasons set out with regard to window 1, and the acceptability of this aesthetic underlines the reasoning for the nearby door being unacceptable in design terms.

Windows 10 and 11, elevation 4: These are within the intermediate addition but appear adjacent to the more altered and hence less significant rear elevation of the main listed building. No real harm is occasioned by the materials used and the arrangement of the casements, and there are only limited views within the conservation area. These windows are acceptable as installed.

Door, elevation 1: This is a composite construction in two-over-two panels, formed rather than constructed, and displays a fake woodgrain that would never be acceptable in traditional painted joinery, even of modern manufacture. It does not sit well with the more contemporary treatment of those windows found acceptable, and whilst it has some superficial sympathy with the age and form of the intermediate addition in which it is placed, it causes visual harm in this location and on the basis of the other windows being found satisfactory. This door is not acceptable as installed.

9. Those windows that have been found acceptable, either for retention or replacement as proposed, preserve the significance of the listed building and its setting, and the character and appearance of the Hill Conservation Area. As such the statutory tests in the 1990 Act are met as are the requirements of the development Plan and the Framework on heritage and design. Conversely, window 4, the door and the retention of windows 5, 6 and 7 are not acceptable

for the reasons stated and do not accord with Section 16(2), paragraphs 56 and 132 of the Framework and the Development Plan policies previously cited.

10. In the case of the unacceptable elements, the level of harm is 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. There may be some benefits in the conservation of energy to the use of the thermal-break, storm-sealed uPVC windows and door as presently fitted. However, no objection has been raised in this Decision to the use of 24mm double glazing as proposed to windows 5, 6 and 7, and the use of similar to window 4 and in glazing to any more appropriate door would be acceptable. That finding acknowledges that slim-line double-glazed units appear to be in place on the main listed building, which is a more sensitive location.
11. There is no need for conditions generally, as the acceptable elements of the appeal are either in-place or are fully detailed. This Decision is based on the detail shown on Livingwood drawings TSS/CW-101, 102, 103 and 104 with traditional cord and weights and without the applied glazing bars shown on drawing 601. It is not for this Decision to insist on the replacement of the unacceptable window 4, and that is not proposed, but the same style of window as shown on these drawings would be acceptable for the reasons stated.
12. A condition is required however to ensure that the replacement windows 5, 6 and 7 are indeed fitted, or in the default, to allow the existing unacceptable uPVC windows to be considered for enforcement action if that is how the Council decide to proceed with regard to the other unacceptable items presently in place. With that provision, it is appropriate to issue a split Decision, and for the reasons given above it is concluded that the appeal should be allowed in part and dismissed in part.

S J Papworth

INSPECTOR