

Appeal Decision

Site visit made on 27 February 2018

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2018

Appeal Ref: APP/C1625/Y/17/3180424

Marle Hill House, Marle Hill, Chalford, Stroud GL6 8PN

- 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 Mrs Katie Moylan against the decision of Stroud District Council.
 - The application Ref S.16/2688/LBC, dated 27 November 2016, was refused by notice dated 19 January 2017.
 - The works proposed are described as the "removal of existing single glazed windows through the property and installation of new 12mm double glazed windows – using salvaged ironmongery where possible."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Marle Hill House is a grade II listed building within the Chalford Hill Conservation Area. As required by Sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.
3. The original application was submitted by Mr Ben Moylan, with the appeal undertaken by Mrs Katie Moylan. The right of appeal is only given to the original applicant, although they are permitted to authorise another person to submit and conduct an appeal on their behalf. Mr Moylan has given his permission in writing that the appeal is to proceed on behalf of Mrs Moylan, and I have determined the appeal on that basis.
4. It was apparent from my visit that a new double glazed window had been installed (window ref W11, drawing 16057). Notwithstanding this, I have confined myself to the consideration of the appeal proposal before me, rather than what has occurred on site.

Main Issue

5. The main issue is whether the double glazed windows would preserve a listed building or its setting or any features of special architectural or historic interest which it possesses.

Reasons

6. Marle Hill House is a detached house positioned on a steeply sloping hillside. Constructed in the mid to late seventeenth century, this two storey house with

attic has coursed and random rubble limestone walls under a stone slate roof. Like many of the nearby houses, the house has been built to accommodate the topography as it fronts Marle Hill. This and the close proximity of many of the houses to the road and footway network gives an intimate character and appearance to the conservation area. The appeal property is one of many historic houses positioned upon the hillside, and the size and form of the house along with its prominence are such that it makes a positive contribution to the conservation area.

7. Due to the steep slope of the hillside, most of the house's windows are to the front and southern elevations, set within stone mullion frames. The number and large size of the windows are a distinctive feature of the house, with many reflecting the status of the rooms they serve and the evolution of the house over time. The elegant simplicity of the mostly metal casements, the subtle varying styles and forms of the windows over the house as a whole, including some with glazing and security bars, as well as the two storey bay and leaded lights, are all part of the special architectural and historic interest of this listed building.
8. The replacement of most of the windows within the house with double glazed units would unacceptably erode the significance of the listed building. Although 12mm units would be installed, the seals and spacers would be readily apparent. The glazing would have a flat and reflective appearance, and this and the double register of the twin panes would have an incongruously modern and uniform appearance that would be at harmful odds with the special interest of this historic dwelling.
9. The extension of the house over time is legible in both the size and form of the windows, and these variations are an important aspect of the special interest of the building. From the evidence before me it is not clear whether the new windows would exactly replicate each that they replaced. Whilst it is proposed to salvage or re-use ironmongery where possible, no details have been provided as to what of the historic fabric could be re-used and where and how. Moreover, I share the concerns of the Council as to how the leaded lights would be incorporated within the double glazed units, particularly if they were applied rather than functional.
10. It was apparent from my site visit that some of the casements are rusted and that some of the mullions are deteriorating. The appellant has discounted the provision of secondary glazing, and I accept that standard secondary units would not fit some of the windows. Notwithstanding this such units could be constructed on a bespoke basis to fit the cills and reveals.
11. The Council have consented the installation of replacement single glazed windows, considering that the principle of replacing the windows has been established. Nevertheless, the installation of sealed double glazed units would be very different to the extant consent, and as such this tempers the weight I can give to the fallback position.
12. The National Planning Policy Framework (the Framework) requires that where a development proposal would be less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The replacement windows would result in less

than substantial harm due to their size compared to that of the house as a whole.

13. Double glazed windows would have a public benefit in the form of energy efficiency and pollution reduction, thereby according with the requirement of Policy ES1 of the Stroud District Council Local Plan (2015) (LP) which seeks amongst other things sustainable and energy efficient development. However, these public benefits would be modest and the reduction of heating costs would be a personal benefit for the appellant. As such the limited public benefit would not outweigh the significant harm I have found to the listed building.
14. The Framework also requires that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Moreover, this requirement and those of the Act apply in all cases, irrespective of how publically visible a proposal would be.
15. Thus, the proposal would not preserve a listed building and its special interest, contrary to the statutory duties of the Act, objectives of the Framework, and the guidance of Historic England (Historic England Advice Note 2 and Energy Efficiency and Historic Buildings). The main parties have also drawn my attention to LP Policies CP14 and ES10. Although development plan policies are not decisive in listed building consent schemes, the works would fail to accord with the requirements of these policies which seek amongst other things to preserve, protect or enhance the historic environment.

Conclusion

16. In conclusion, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR