
Appeal Decision

Site visit made on 5 August 2019

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 23 August 2019

Appeal Ref: APP/Z2260/Y/18/3211102

9 Marine Gardens, Margate CT9 1UN

- 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 Simply Crafted Urban Mesh Developments Ltd against the decision of Thanet District Council.
 - The application Ref L/TH/18/0429, dated 23 March 2018, was refused by notice dated 22 June 2018.
 - The works proposed are replacement of existing dilapidated sash windows to front elevation with new timber sash double glazed units.
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Decision

1. The appeal is allowed and listed building consent is granted for replacement of existing dilapidated sash windows to front elevation with new timber sash double glazed units at 9 Marine Gardens, Margate CT9 1UN in accordance with the terms of the application Ref L/TH/18/0429 dated 23 March 2018 and the plans submitted with it 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) The works hereby permitted shall be carried out in accordance with the following approved plans: 13M PL PRO 500; 13M PL PRO 501.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the significance of the listed building.

Reasons

3. The appeal relates to this 4 storey mid-terraced property which has a retail use at the ground floor. The property is said to be Georgian and forms part of a grade II listed terrace comprising Nos 7-12 Marine Gardens. Approval is sought to replace the windows on the first, second and third floors of the front elevation.
4. The existing windows are not original and do not represent close imitations of the likely original design. The existing windows comprise a mixture of fixed glazing, casements of timber and metal and modern sashes, all of single glazing. The proposal is to replace these with timber double glazed sash

- windows in a 6 over 6 design at first and second floor and a 3 over 3 arrangement in the top floor.
5. The Council acknowledges that the proposed windows would provide a unifying design to the fenestration of the front elevation and would reinstate the original Georgian design, in broad terms; they indicate that this represents an improvement to the listed building. The Council also state that the proposed frames would be of an appropriate thickness. However, their objection relates to the size of the glazing bars and the appearance of the proposed double glazing.
 6. The Council refer to the glazing bars as being 22mm thick at their widest. The submitted drawings indicate a detailed section of the proposed windows and the glazing bars are shown to have a traditional lambs tongue profile on the internal side with a maximum width of 22mm. However, the appellant indicates that the external section of the glazing bars would have a dimension of 11mm inclusive of putty and this would appear to be consistent with the submitted drawings. Therefore, when seen from outside, I consider that the thickness of the proposed glazing bars would be appropriate to the listed building.
 7. In relation to the double glazing, I agree with the Council to some extent that it is sometimes possible that a double reflection can be seen when viewing such a feature and this can betray a modern element of a building. However, I consider this to be a relatively minor matter in this case and one which needs to be balanced against other considerations.
 8. When taken as a whole, the proposal would result in the removal of the variety of window types which currently have a negative effect on the listed building. This is a considerable benefit. The proposed replacement windows would provide a consistent design for this front elevation, of an overall design which the Council acknowledge to be appropriate. The visible parts of the glazing bars would be slender and in keeping with what would have been originally provided in a building of this age. Again, I consider this to be a considerable improvement to the listed building. Balanced against this is the fact that the provision of double glazing may give rise to a visible double reflection which betrays the modern nature of the glazed units. In my judgement the minor harmful element is considerably outweighed by the positive aspects of the proposal. When taken as a whole, the proposal would have a positive effect on the significance of the listed building.
 9. In relation to conditions, the Council has provided the wording of 3 conditions which it would prefer to be included. The first of these is the standard time limit for commencement which I shall include. The second relates to undertaking the works in compliance with the approved drawings; I consider this to be necessary in order to ensure that the works are undertaken as approved. In addition, the Council have indicated a condition which requires the windows to be of timber, set within the existing openings and in accordance with the joinery details shown on the submitted drawing. These are all matters which are suitably indicated on the submitted drawing and would be required by the previous condition and so I consider this last condition to be unnecessary.

Conclusions

10. For the reasons set out above, the appeal is allowed.

S T Wood

INSPECTOR