



Appeal Decision

Site visit made on 13 August 2019

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

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/Z1510/Y/18/3215051

Bellows Cottage, Water Lane, Shalford, Braintree, Essex CM7 4QX

- 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 Steven North against the decision of Braintree District Council.
 - The application Ref 18/00772/LBC, dated 28 January 2018, was refused by notice dated 4 September 2018.
 - The works proposed are to replace thatch with period tiles and replace wooden windows with wood effect PVC windows and change single glazing to double glazed units.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the purposes of clarity, I have based the address, in the banner heading above, on that used on the application form.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the appeal was lodged. However, the relevant section to this appeal has not materially altered. As such, in the circumstances of this case I do not consider that it is necessary to seek the further views of the parties. I am required to consider the appeal on the basis of the current Framework.

Main Issue

4. 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 Bellows Cottage (listed as Bellows) and whether any harm would be caused to the significance of the designated heritage asset.

Reasons

5. Bellows Cottage is a detached dwelling that dates from the 17th Century with later additions and alterations. The building is timber framed, rendered with a thatch roof. I acknowledge that the late 20th and early 20th Century extensions have no historic value and that various alterations have been carried out since the building was listed. Nonetheless, the listing description, which was amended on 23 March 2011, states that *'it is acknowledged that alterations have occurred to the building since it was listed, but although these have resulted in the loss of some historic fabric, the survival of the original fabric*

outweighs the relatively minor alterations which are to be expected in a cottage of this age and the effects of the fire’.

6. From the details available to me, including the listing description, and my own observations I consider that the significance and special interest of the listed building is largely derived from its age, form, historic fabric and architectural features. As such, it has historic, evidential and aesthetic value.
7. 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.
8. The works would include the replacement of the existing thatched roof using tiles similar to that used on the latest extension. They would also involve the replacement of timber windows with double glazed, wood effect PVC windows.
9. It is the appellant’s contention that the current thatched roof of the dwelling does not contribute materially to the historic character and significance of the building. The existing thatching materials appear to be, in the main, a modern replacement following restoration of the dwelling in the 1960’s and a later fire. As such, the replacement of the thatch with tiles would more than likely involve the loss of very little, if any, historic thatching material.
10. The modern extensions have predominantly tiled roofs and the appellant has stated that he has found remnants of tiles in the front garden. Nonetheless, whilst I have no reason to doubt the appellant’s assertion in relation to the tiles, it provides no substantive evidence that the main roof has been tiled at some stage in the past. Accordingly, on the balance of the evidence before me, I do not find the argument that the roof has been previously tiled to be compelling.
11. In any event, even if the roof had been originally tiled and was replaced with thatch, there is nothing before me to suggest that the building has not been thatched since before it was renovated in the 1960’s and at the time it was listed. Therefore, the thatched roof has formed an intrinsic part of the property for some considerable time. I observed that there are numerous thatched buildings within the surrounding area including some on Water Lane. In this case, the thatched roof makes a significant and positive contribution to the aesthetic and evidential value of the appeal dwelling and, having regard to the vernacular design of the building, its location and its group value with other vernacular properties nearby, I consider the roof is one of its most striking features of special interest.
12. Clay tiles appear to have been used traditionally to cover roofs of vernacular dwellings in the local area. However, from the evidence before me they have not been used previously on the main roof of this building. Therefore, I consider that the proposed use of tiles would not make an appropriate contribution to the evolution of this vernacular building but would be significantly detrimental to its authenticity. It would materially diminish part of the special interest of the listed building and would have a harmful impact on its evidential and aesthetic value as a heritage asset.
13. 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.
14. There is some ambiguity in the details provided as to what works are proposed in relation to the windows. Nevertheless, it is apparent from the copies of correspondence with the Council that the appellant wishes to replace the windows numbered W1 through to W8, in his figures 8a, b and c, with PVC windows based on the submitted Evolution Storm plans. I have determined the appeal on this basis.
 15. Even though the majority of the windows to be replaced have little historical or aesthetic value the windows shown as W3 and W4 have some aesthetic value as, in my experience, their design appears to be a good replica of historic windows found in vernacular dwellings. It is also likely that these 2 windows could reflect the design of historic windows that may have been within this building at some stage. As such, these 2 windows could have a limited amount of evidential value.
 16. I accept that the existing timber storm fitted casement windows with top opening lights are not entirely sympathetic to the special interest/significance of the listed building and that the existing windows have been extensively repaired in the past and are exhibiting signs of 'rot. Moreover, the 'paint' finish of the PVC window, shown in the submitted photographic evidence, can replicate the appearance of modern factory finished timber painted windows.
 17. However, I do not consider that on close inspection the texture of the material would have the same patina as traditionally painted wood. Neither would it be likely to weather or bed down in the same way as timber, and so over time the synthetic nature of the material would become more apparent and would appear more incongruous. In addition, the frame elements of the proposed windows would be wide resulting in a greater proportion of solid to glass than, in my experience, is exhibited in historic casement windows. The windows would also have visible separating beads around the margins of the unit and applied glazing bars which would not convincingly replicate the nib and putty profile of traditional fixtures. Moreover, the 'sandwiched' bars would be evident behind the applied glazing bars, and, the continuous plane of the front glass of the sealed unit would also be clearly discernible, further revealing the modern technical fabrication of the windows.
 18. Accordingly, the proposed windows would lack both the constructional integrity and the important visual subtleties of texture that traditional carpentry and glazing methods and finishes offer. Consequently, they would be clearly identifiable as non-traditional modern fixtures and the combination of these elements would result in windows that would appear jarringly out of place. It follows that the replacement of the timber windows with a plastic alternative would have a harmfully erosive effect on the appearance and historic character of the heritage asset.
 19. As such, the works would be contrary to the expectations of the Act and I must attach considerable importance and weight to these considerations when reaching my decision. In the language of the Framework, it would result in less than substantial harm to the significance of the heritage asset. In those circumstances, paragraph 196 of the Framework says that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

20. The works would support the continued residential use of the property, which is its optimum use. I note that the appellant considers that it would be difficult to sell the dwelling due to the maintenance costs, insurance costs and risks of rodent and fire damage presently associated with a thatched roof property. There would be financial implications related to the repair, retention and maintenance of the thatch. These costs will have increased in the time the appellant has owned the property and I note that the appellant has stated that his income is now restricted.
21. However, given that there appears to be numerous well-maintained thatched cottages in the surrounding area I do not consider that the sale of the property would be prohibited by the retention of its thatched roof. Moreover, in my experience there are ways to minimise the risk of fire and rodent damage with thatch roofs and that there are specialist property insurers that can provide home insurance for thatched dwellings. As such, I give this matter limited weight in support of the proposal.
22. The appellant also indicates that the environmental cost of growing the wheat for the thatch would be high when considered in combination with the associated materials used. He has also cited the environmental cost of using paint and other chemicals to maintain timber windows. However, only limited evidence has been provided on these matters or how the environmental costs of installing a tiled roof and PVC windows compare to them. Therefore, I accord them little weight in favour of the scheme.
23. The appellant argues that the house is cold and damp at certain times of the year and therefore the use of the dwelling will be restricted by these factors. He also wishes to improve; the ease of use of the windows especially for those with a disability; environmental sustainability; noise insulation 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. Furthermore, even though improvements to the ease of use, thermal efficiency, noise insulation and security can reasonably be considered public benefits it has not been demonstrated that such improvements could 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 benefits.
24. Even though I have found that the harm to the heritage asset is less than substantial it is not to be treated as a less than substantial objection to the proposal. I consider that the weight of the public benefits, either individually or cumulatively, would not justify or outweigh the great weight to the attributed to the harm to the heritage asset that I have identified. It follows that the proposal would not comply with paragraph 196 and section 16 of the Framework.
25. I have had due regard to the Public Sector Equality Duty contained in the Equality Act 2010 and that the replacement of the thatch and the windows would have limited benefits including through the potential lowering of future maintenance costs and by the increase in the ease of use of the windows by people with a protected characteristic, such as age or disability. However, there is little to indicate that the appeal scheme is the only way of addressing these matters. Therefore, I am satisfied that my findings would not have an unacceptably disproportionate effect on people with a protected characteristic,

including those relating to age and disability and would not conflict with the three aims of the Equality Duty. Therefore, this matter does not lead me to alter my findings above.

Other matters

26. The appellant has cited that there have been other examples of properties, within the local area, which have had their thatch replaced with tiles. However, I do not have the full details of all these examples, including whether consent was required or granted for these roofs and, if so, the policy context that was in place at that time. I have also been provided with a photograph of a timber framed building that it is in a serious state of disrepair. Whilst, I have no reason to doubt that this maybe a listed building I have no evidence to indicate the circumstances that have led to the demise of this building. In any case, I am required to determine the appeal on its individual merits.

Conclusion

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

D. Boffin

INSPECTOR