



Appeal Decision

Site visit made on 23 September 2019

by G J Fort BA PGDip LLM MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 October 2019

Appeal Ref: APP/G0908/Y/19/3223194

Croft House, Ullock Village, Ullock CA14 4TP

- 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 and Mrs Gillam against the decision of Allerdale Borough Council.
 - The application Ref 2/2018/0444, dated 4 September 2018, was refused by notice dated 22 November 2018.
 - The works proposed are the replacement of single glazed timber sliding sash windows for new slim-line double glazed timber sliding sash windows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision on the application that led to this appeal pre-dated the publication of the latest version of the National Planning Policy Framework (the Framework) in February 2019- which is a material consideration relevant to decision-taking from the date of its publication¹. The latest version of the Framework made no changes to the elements of most relevance to the current appeal. Accordingly, no prejudice would occur to the interests of any parties as a result of me taking the latest version of the Framework into account in my assessment of the merits of the appeal.

Main Issue

3. The main issue in this appeal is whether the proposed windows would preserve Croft House, a Grade II Listed Building, and its special interest.

Reasons

Special interest and significance

4. Included on the Statutory List at Grade II, Croft House is a farmhouse and attached barn, which according to the Listing Description dates from the early 18th Century, with alterations in the 19th Century. I note too that alterations carried out in the 1980s entailed both the insertion of new window openings and the alteration of door openings. Much of the appeal building's aesthetic significance and special interest derives from its robust rural character and

¹ Per paragraphs 2 and 212 of the Framework

agrarian appearance. Croft House's windows contribute to this special interest as key elements of the building's elevational composition.

The proposed works

5. The proposed works would entail the replacement of all but two of the windows on the front and rear elevations of Croft House. Timber-framed sliding sash windows incorporating double glazing- with spacers between the panes seeking to replicate solid glazing bars-would be installed in place of the removed windows.

The effect of the proposed works

6. I accept that few if any of the current windows at the site may be original, I note also that some of the openings are the result of alterations occurring in the 1980s, moreover the details of the existing frame constructions also vary. There is also one recently installed window² at the first floor, which is of the same frame style as the proposed windows, although it incorporates single-glazing.
7. Nevertheless, aside from the recently installed window, the use of multiple smaller panes within the other windows- particularly the examples with older glass in the rear elevations- creates reflective subtlety and visual interest which contribute to the elevational character of the building. In contrast, the proposed double-glazed examples, which would incorporate larger panes with surface applied glazing bars and spacers sited within the deeper glazing units, would result in much flatter and more uniform reflective properties in comparison to the windows that they would replace- as evidenced, to some extent, by the recently installed single-glazed example at the first floor. Due to the extensiveness of the proposals, which would involve the replacement of 13 windows across the appeal building's front and rear aspects, this would erode the visual interest of its elevations to the detriment of its rustic character and appearance. Whilst the rear aspect of the appeal building is orientated towards a field within Croft House's ownership, it is visible from an adjacent highway and public footpath, where the effect of the proposals would be clearly discernible.
8. The appeal scheme would also entail the removal of the modern secondary glazing. Although I accept that this would result in some visual improvement to the internal aspects of the windows, this would not outweigh the erosion of the appeal building's elevational aesthetic, which would clearly diminish its significance.
9. For these reasons, and mindful of the duty imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, I conclude on this main issue that the proposed works would not preserve Croft House and its features of special interest.

Other Matters

10. The proposed windows could improve thermal efficiency and the removal of internal glazing could facilitate greater penetration of natural light into the property although precise details of any potential gains in these regards have not been supplied. As a result, the proposed windows would assist in ensuring

² Pursuant to the consent with Council reference: 2/2012/0615

the prudent use of natural resources, and this would therefore be a public benefit. Nevertheless, due to the lack of clarity on the potential gains in these regards and the relatively modest size of the property this is a consideration that weighs in favour of the proposed windows to only a limited degree.

11. I readily accept that some of the existing windows are in need of repair; however, it has not been established that replacement of the extent mooted by the appeal scheme would be necessary to address these issues. Although I note comments on the financial viability of repair, I have been supplied with no substantive details or comparative costs to draw any conclusions on this matter. Consequently, these considerations do not weigh in favour of the current proposals to any material degree.
12. My attention has been drawn to other examples³ in the Borough, where double-glazed windows have been installed in listed buildings. However, beyond the reference numbers of the applications, I have been supplied with little substantive detail of the proposals and what material considerations may have informed the Council's decisions on them. Consequently, the cited examples do not weigh in favour of the proposed works.

Overall Balance and Conclusion

13. The Framework anticipates once a finding of harm to the significance of a listed building has been made that the level of harm should be assessed. In the current case the proposals would clearly cause less than substantial harm to the significance of Croft House. Nevertheless, the Framework sets out⁴ that great weight should be given to a listed building's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Moreover, the harm should be weighed against the public benefits of a proposal⁵. Such public benefits can include where a proposal would secure the optimum viable use of a listed building.
14. Although the proposed windows would result in energy efficiency and amenity improvements, and address some issues of repair, it has not been claimed that their installation would be necessary to ensure the ongoing use of Croft House in a manner consistent with its conservation. Consequently, it has not been demonstrated that the proposed works would secure the optimum viable use of the appeal building.
15. Although the proposed works would deliver public benefit in terms of energy efficiency, the limited weight attached to this matter in this case does not tip the balance in favour of the proposals when set against the great weight and importance I accord to the harm the windows would cause to the significance of the Listed Building.
16. Consequently, the appeal scheme would conflict with the Framework insofar as, amongst other things, it requires heritage assets to be conserved in a manner appropriate to their significance. For these reasons too, the proposed works would conflict with Policy S27 of the Allerdale Local Plan (Part 1) (adopted July 2014) which along with other matters requires any harm caused by a proposal to a listed building to be outweighed by clear and convincing public benefits.

³ Council references 2/2010/0691; 2/2011/0056; 2/2012/0581

⁴ At paragraph 193

⁵ Per paragraph 196 of the Framework

17. Accordingly, for the reasons set out above, and taking fully into account all other matters raised, I conclude that the appeal should be dismissed.

G J Fort

INSPECTOR