
Appeal Decision

Site visit made on 13 December 2019

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 16 January 2020

Appeal Ref: APP/X2220/Y/19/3236227

The Nook, 17 New Street, Sandwich CT13 9AB

- 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 A Craib against the decision of Dover District Council.
 - The application Ref 19/00486, dated 16 April 2019, was refused by the Council by notice dated 11 June 2019.
 - The works proposed are replacement of existing sliding sashes with new timber sashes within retained sash boxes, to the same dimension and specification containing slimline double glazed units.
-

Decision

1. I dismiss the appeal.

Reasons

2. The building is listed Grade II and the main issue is the effect of the works on the architectural and historic significance of the building and its setting. 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 building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 193 of the 2019 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.
3. Reference has been made to the Historic England publication '*Traditional Windows their Care, Repair and Upgrading*' and the advice over the need to strike an appropriate balance between energy conservation and building conservation is particularly relevant to the appeal proposal. The publication goes on to state that the introduction of slim-profile insulated glass units has made it possible to produce new double-glazed windows in traditional materials which may be more sympathetic to the character of older buildings than earlier types of replacement window. Whilst the sample of a slim-profile unit seen at the site inspection was of the type referred to by Historic England, their view appears to be predicated on replacement of the windows being necessary.
4. The proposal involves 8 windows to the property, those to the front elevation being prominent within the street-scene, whilst those to the side are less so and those to the rear are not open to public view. Nevertheless, the preservation of features of significance in listed buildings does not rely on a public view. Whilst there are variations within the dwelling, with some sashes

having horns and others not, and the Heritage Statement refers to a mix of old glass and replacement, the windows and sashes are nearly all of architectural and historic significance. The possible exception is the side windows to the staircase, the lower one appearing from its joinery detailing to be a more recent replacement. The others are vertical sliding sash windows that display a high level of architectural significance and appear to be historic fabric, albeit of various ages.

5. The proposal is to retain and repair the frames, weight boxes and cills, placing newly constructed sashes within them with slimline double-glazed sealed-units. The appellant states that the replacement of the sliding sashes with new timber windows of the same design is required because of the potential structural failure of the older existing frames, this considered to be a risk through the increased weight of the double-glazed units.
6. The windows were inspected during the site visit and found to be in good decorative order, although there was condensation to the lower parts of many panes and signs of possible previous damage through resting water, although the good coverage of internal paint finish prevented any soft spots or rot being readily found. The lower sash of the kitchen window had been strengthened with a repair plate and some windows such as the side lights to the ground floor front bay had been painted shut. The sashes generally have slim bottom rails which could limit their ability to carry the increased weight of glass.
7. Based on the non-invasive inspection allowed, and the information supplied with the application and appeal, it has not been proved sufficiently that there is a pressing need for replacement of the historic window fabric on grounds of its poor condition endangering the wellbeing of the building. With continued care and maintenance, the sashes appear in a condition sufficient to last for a reasonable period still. The impression gained is that it is the advantage of sealed double-glazed units that has determined the nature of the works, rather than a need to replace historic fabric which has reached the end of its life.
8. The option of secondary glazing has been considered and is referred to in the Historic England publication. Its use can be effective in improving the thermal performance of the building, and the greater air gap and weight of glass can assist in noise attenuation. Shortcomings in the draughtproofing of traditional sliding sashes can also be made-good. Such installations were seen nearby, where traditional glazing methods were retained in the windows as a result. It is acknowledged that the presence of the hinged louvre shutters on the appeal premises militate against a ready use of that option.
9. It is concluded that the proposal would cause harm to the listed building through the loss of historic fabric. The level of harm would be 'less than substantial', a differentiation required between paragraphs 195 and 196 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.
10. The conservation of energy is a public benefit, and particularly in view of recent Government statements on climate change and moving towards a carbon-neutral future. Chapter 14 of the Framework sets out the need to meet the challenge of climate change and its effect on flooding and coastal areas.

11. However, there is a balance to be struck between energy conservation and building conservation as stated in the Historic England publication, and on the information available that balance should lie in favour of retaining the historic fabric and glazing methods in this case. The proposed works would cause harm to the historic and architectural significance of the listed building and its setting, contrary to the statutory test in the 1990 Act and the Framework and there is no clear justification or public benefit sufficient to decide otherwise. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR