
Appeal Decision

Site visit made on 17 July 2020

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 01 September 2020

Appeal Ref: APP/D1265/Y/20/3250296

6 Castlemans Lane, Hinton St Mary, Dorset DT10 1LY

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs Thomas against the decision of Dorset Council.
 - The application Ref 2/2019/0827/LBC, dated 18 June 2019, was refused by notice dated 4 October 2019.
 - The works proposed are described as replace 8no existing timber windows with new timber windows within existing main cottage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of proposed works in the banner heading above is an edited version of that given on the application form, with the phrase 'amended information from withdrawn application - 2/2018/0802/LBC' omitted. This is because the wording omitted does not constitute a description of works.
3. The Council made its decision on the basis of amended plans showing different joinery details and thicker glazing units than was originally proposed. I have also made my decision on the basis of the amended plans.

Main Issues

4. The main issues are whether the proposal would preserve a Grade II listed building, 6 Castlemans Lane, its setting, or any of the features of special architectural or historic interest that it possesses; and whether the proposal would preserve or enhance the character or appearance of Hinton St Mary Conservation Area (the Conservation Area).

Reasons

5. Insofar as it relates to this appeal, the special interest and significance of No 6 resides in the vernacular design and construction of the 2-storey stone rubble and thatched main range of the property, which is of largely eighteenth century date, but possible seventeenth century origin.
6. In this regard, the oldest of the windows in question are said to have been installed no more than 35 years ago. Notwithstanding a lack of any reference to past listed building consents, the implication is that the windows were mostly, if not all installed after the building was listed in 1984.

7. The design of the windows, including the use of single glazing, is nonetheless generally consistent with that of windows found in cottages of eighteenth century date. In view of the fact that the windows otherwise match the general description provided in the list description, this implies that the windows have previously been renewed using replacements of matching design. In this regard, the replication of historic building components helps to sustain the contribution that design makes to the special interest and significance of a building. By extension the same applies where replicated building components are themselves subsequently renewed. I therefore consider that single glazed multi-paned casement windows form a component of the historic design of the listed building, and it is on this basis that the current windows contribute to its special interest and significance.
8. As the windows do not constitute part of the historic fabric of the building, there is no dispute between the parties in relation to their further replacement. Indeed, though the windows do not appear to be beyond repair, the principle of replacement itself is not at issue. The sole issue is whether use of double glazing in the replacements is acceptable. The issue is thus one of design.
9. 'Slimline' double glazing is proposed. This is a generic name for double glazed sealed units with the panes set much closer together than in standard sealed units. Various products are available. None has however been specified, and the sections provided are insufficiently sized or detailed to show the exact glazing configuration that would be employed.
10. Nonetheless, the slenderest sealed units available are often less easy to detect from a distance than sealed units of more standard width. Thus, were such units to be installed they might not be immediately apparent within passing casual glances from the street. On closer inspection, and indeed close up, the presence of a sealed unit would however be clearly apparent. This would be highlighted both by the depth of the units, which would always be greater than that of a single pane of glass, and the spacer strip between the 2 panes. The presence of double glazing would thus be obvious in day to day use of the building, and most particularly so from inside.
11. Double glazing is an appreciably modern product. Its use in the replacement windows would not therefore complement the age, or architectural character of the building. Nor would it therefore sustain the contribution that the design of the windows currently makes to the special interest and significance of the listed building. In each regard the integrity of the building would be diminished.
12. My attention has been drawn to replacement double glazing apparently approved by the Council at another listed cottage in the village. However, I have little information regarding the case or the particular considerations the Council took into account. Moreover, nothing I observed when viewing the cottage in question gives me cause to alter my assessment that the proposal would fail to preserve the special architectural interest of No 6.
13. No 6 is also located within the Conservation Area. This is a fact noted within the Council's officer report, but it has not otherwise been given any detailed consideration by either party. In view of the duty set out in Section 72(1) of the Act, it is however necessary for me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

14. Insofar as it relates this appeal, the significance of the Conservation Area resides in the historic layout of the village, and the collection and interrelationship of historic buildings and spaces it contains. As No 6 is one such historic building, it makes a positive contribution to the significance of the Conservation Area.
15. As set out above, the proposals would entail alterations that would diminish the significance of No 6, and these would be at least partly appreciable from within the public realm. It follows that the proposal would also diminish the contribution that No 6 makes to the significance of the Conservation Area as a whole. Though the effect would be modest, the proposal would nonetheless fail to preserve or enhance the character or appearance of the Conservation Area, contrary to the expectations of the Act.
16. With reference to paragraph 196 of the National Planning Policy Framework (the Framework), I find that the proposal would cause less than substantial harm to the significance of both No 6 and to that of the Conservation Area. I attach great weight to the harm that would be caused to the significance of the listed building, and considerable importance and weight to the harm that would be caused to the significance of the Conservation Area. In accordance with the Framework it is necessary to balance this harm against the public benefits advanced in favour of the appeal scheme.
17. The main consideration advanced in favour of the proposal is that it would help to improve energy efficiency, reducing heat loss, and thereby reducing the carbon footprint of the occupants. An improvement would most likely occur. However, its extent and duration would be very modest and of limited broader benefit, particularly when taking into account the carbon cost and typically short lifespan of the sealed units themselves. Furthermore, I have been presented with little evidence that other less harmful ways of improving the energy efficiency of the building have been fully explored. Consequently, the benefits of undertaking the works would be insufficient to outweigh the harm that they would cause to the significance of No 6, considered both alone, and or in combination with the harm that would be caused to the significance of the Conservation Area.
18. For the reasons outlined above I conclude that the proposal would not preserve the special architectural or historic interest of No 6, and that it would additionally fail to preserve or enhance the character or appearance of the Conservation Area. It would thus fail to satisfy the requirements of the Act; heritage policy set out within the Framework; and, insofar as it is relevant, Policy ENV4 of the West Dorset, Weymouth and Portland Local Plan 2015, which, though drafted with particular reference to 'development', nonetheless requires applications affecting the significance of a heritage asset to demonstrate how the proposals would positively contribute to the asset's conservation.

Conclusion

19. For the reasons set out above I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR