



Appeal Decision

Site visit made on 11 August 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2020

Appeal Ref: APP/K3415/Y/20/3249841

Bentley Hall Cottage, Uttoxeter Road, Blithbury, Rugeley WS15 3HX

- 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 & Mrs Crompton against the decision of Lichfield District Council.
 - The application Ref: 19/01731/LBC dated 16 December 2019, was refused by notice dated 19 March 2020.
 - The works proposed are installation of replacement windows (Residence 9).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As the proposal relates to a listed building, I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

The main issue is whether the proposed works would preserve the Grade II listed building, 'Bentley Hall Cottage' (Ref: 1277602), or any features of special architectural or historic interest that it possesses.

Reasons

3. The building comprises a house that dates from around 1700. It is constructed of ashlar sandstone with a plain tile roof. It has a single-storey lean-to extension to the rear. A later red brick, two-storey wing has been added to the north of the building. A stone barn is located to the south east of the principal building, and various later outbuildings are situated to the north-west and north-east. The building is located in the countryside with arable fields to the north and south.
4. The building has evidential, historical and aesthetic value as an example of rural cottage architecture dating from the eighteenth century, which illustrates the use of a range of different historic building materials and techniques. Given the above, I consider the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with the legibility of its eighteenth-century architecture.

5. The building is fitted with twentieth century, timber 'stormproof' casement windows, that are painted dark brown. Listed building consent has been granted for an alternative replacement window scheme, which comprises aluminium flush fitting casement windows, finished in pale green¹. The appeal proposal is for uPVC flush fitting casement windows, finished in pale green.
6. Samples of uPVC and aluminium windows were on display during my site visit. Judging by the samples, the flush fit of the proposed windows would go some way to visually assimilate the windows externally, compared to the existing lipped casement windows.
7. The appellants consider that the proposed uPVC windows would provide a reasonable approximation of painted timber windows and appear sufficiently similar to the approved aluminium alternative when viewed from a distance. I note the manufacturer's intention to provide a 'true recreation of traditional 19th century timber windows'. I also acknowledge that the proposed uPVC and consented aluminium materials are both modern.
8. Nevertheless, judging by the samples, the uPVC windows would be of a noticeably bulkier appearance than traditional style timber-framed flush fitting casement windows in terms of frames and glazing. They would also be noticeably more bulky in terms of their frame width and depth than the alternative aluminium windows.
9. The bulky appearance of the proposed uPVC windows would draw attention to the modernity of the material and visually jar with the building's traditional materials. These effects would be noticeable within the building and across the substantial expanse of the building's exterior. As such the proposed uPVC windows would compete with and distract from the historic materiality and character of the historic architecture of this country cottage. It would also introduce an incongruent, alien fabric to the building. Although this would also be the case for aluminium windows, this fallback position would be less intrusive.
10. Given the age of the building I would expect traditional, high quality window materials of appropriately lightweight and elegant appearance. However, the proposal would fail to take the opportunity to install timber windows of traditional fabric and style. Furthermore, it would preclude delivery of a consented scheme that, judging by the samples, would have a more slender framed appearance and thus distract less from the historic character of the building.
11. The proposed pale green of the window frames would, in terms of lightness of shade, contrast less with the buff stone walls of the building than the existing dark brown frames. Nevertheless, and notwithstanding the likely similar colour of the consented aluminium windows, there is no substantive evidence before me that pale green would be authentic to the early eighteenth century provenance of the building. Combined with the bulk of the proposed windows, this would draw further attention to the modernity of the proposed windows.
12. Furthermore, while illustrative drawings and photographs in manufacturers' brochures are provided, full cross-sectional drawings of the proposed windows have not been provided. In the absence of the latter and judging by the

¹ Planning Application Ref: 19/01262/LBC.

samples, the detail of the proposed windows would not be demonstrably sympathetic to the listed building.

13. The appellants state that the Residence 9 product has been successfully used on a number of schemes involving heritage assets, including listed buildings. However, full details of the other cases are not before. Moreover, the proposal has its own setting and circumstances and, as such, I assess this case on its individual merits.
14. Taking the above together, the incongruent material and bulk of the windows would distract from the historic fabric and character of the building. Consequently, the alien addition that is proposed would erode the historic legibility of the building. Therefore, I find that the proposal would fail to preserve the special interest of the listed building. I give this harm considerable importance and weight.
15. Paragraph 193 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 194 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets, and that this should have a clear and convincing justification. Given the extent of the changes, I find the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
16. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against public benefits of the proposal, including any contribution to securing optimal viable use of listed buildings.
17. The appellant states that the proposed works would provide a higher level of thermal efficiency compared to both the existing and aluminium windows. This would be a small public benefit, bearing in mind it only relates to a single dwelling. The proposal would improve ease of maintenance of the building through avoiding the need for painting wooden frames. However, I find that the continued viable use of the property as a dwelling is not dependent on the proposed works. Accordingly, I find that there are insufficient public benefits to outweigh the harm I have identified to the heritage asset.
18. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act and paragraph 196 of the Framework. Whilst of limited relevance to an appeal made under section 20 of the Act, it would also conflict with Core Policy 14 and Policy BE1 of the Lichfield District Local Plan Strategy 2008-2029 (2015) which together seek to ensure that proposals conserve designated heritage assets and the historic environment. Furthermore, the proposal would not accord with the guidance in the Lichfield Historic Environment Supplementary Planning Document that uPVC windows should not be considered for historic buildings.

Conclusion

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

William Cooper INSPECTOR