
Appeal Decision

Site visit made on 06 October 2020

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

an Inspector appointed by the Secretary of State

Decision date: 03 November 2020

Appeal Ref: APP/Y9507/Y/19/3241307

Rooks Cottage, North Lane, South Harting GU31 5PZ

- 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 Miss Jenny Woodgate against the decision of South Downs National Park Authority.
 - The application Ref SDNP/19/03168/LIS, dated 30 June 2019, was refused by notice dated 3 September 2019.
 - The works proposed are described as replace 6 windows and 1 door on the west elevation and 1 door on the adjacent single storey.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Authority considered the application on the basis that multi-pane casement windows were proposed, each pair containing 12 panes of glass. The Design and Access Statement however shows casements of a different design, with each pair containing 4 panes of glass; or, in other words, casements subdivided by a single horizontal glazing bar. The appellant states that a revised plan was submitted to address this inconsistency, however the plan is not listed within the officer report. It is however clear on reading the Design and Access Statement, that the intention is to install 'four-paned flush casement windows' rather than multi-paned casements. As such, and given that the Council has had the opportunity to view both designs, I am satisfied that I can determine the appeal on the basis of the revised plan without prejudice to any party.

Main Issue

3. The main issue is whether the works would preserve a Grade II listed building, Rooks Cottage, its setting, or any of the features of special architectural or historic interest that it possesses; whether the works would preserve or enhance the character or appearance of South Harting Conservation Area (the Conservation Area); and whether the works would conserve and enhance the cultural heritage of the South Downs National Park (the National Park).

Reasons

4. Insofar as it relates to this appeal, the special interest and significance of Rooks Cottage lies in the early nineteenth century date of the core of the dwelling, the decorative brickwork and simple arrangement of openings within the front elevation, and its prominent position within the streetscene.

5. In view of the age of the dwelling, it is most likely that the windows originally installed within the front elevation were timber, flush faced, multi-paned, side hung, single glazed casements. The surrounding setting contains other historic buildings featuring casements of the same general type, with each pair most typically holding 12 or 16 panes.
6. The existing windows within the front elevation of the listed building are all modern. However, all are timber, of multi-pane configuration, with each pair either holding or sub-divided into 12 panes. All but one is also single glazed with solid glazing bars. In these regards the existing windows broadly reflect the characteristics of those likely to have been present originally.
7. Rather than being flush faced, the existing windows are however of partly projecting storm-proof design, and incorporate top hung vents. One is also double glazed with stick-on glazing bars, and in these regards it is wholly anomalous. All such characteristics are clearly at odds with those of the windows likely to have been present originally. These characteristics give the existing windows a modern appearance which detracts from the special interest and significance of the listed building.
8. It is of additional note that the installation of the windows appears to have involved slightly widening the original window openings, such that the windows are wider than the lintels above. This further detracts from the special interest and significance of the listed building. However, insofar as no remedial work is proposed, this would remain the case.
9. Flush faced side hung casements are proposed as replacements for the existing windows. In these regards the proposed design would represent an improvement upon the existing. The 4-pane configuration would not however reflect the design of the windows likely to have been present originally. This would be apparent in views of the front elevation, particularly with reference to other buildings within the setting that are of similar age.
10. The replacement windows would also incorporate slimline double glazing. This is a generic term for double glazed sealed units with the panes set much closer together than in standard sealed units. Various sections are available. At 14mm, the proposed sealed units are not the slimmest.
11. Though slimline double glazing can allow the use of solid glazing bars, these are generally thicker than those used for single glazing due to the thickness of the sealed units themselves. Some general glazing bar dimensions have been provided, however the plans do not show any detailed sections through them. I cannot therefore be certain of their design.
12. Double glazing is otherwise an appreciably modern product. Though slimline sealed units are often less easy to detect from a distance than those of more standard width, upon closer inspection, and indeed close up, their presence is usually obvious. This is typically highlighted by the depth of the units, and the spacer strip between the 2 panes. The presence of double glazing within the replacement windows would thus be apparent in day to day use of the building, and most particularly so from inside. For this and the above reasons, use of the proposed sealed units would not complement the age, or the historic architectural character of the building, and would thus detract from its special interest and significance.

13. Non-statutory guidance published by Historic England states that, where significance has been harmed by inappropriate windows, slim profile double glazed replacement windows may be considered. In these cases, the expectation is that the designs would be more sympathetic, and there would be a net neutral or positive effect on significance. As such there is clearly a balance to be had, and, regardless of its outcome elsewhere, this balance can only be properly exercised on a case by case basis.
14. In view of my findings above, and insofar as assessment is possible based on the information before me, neither the existing nor the proposed frame designs either do or would represent the most sympathetic treatments possible. The opportunity for enhancement would not therefore be fully realised. For these reasons, despite the fact that the proposed frame designs would represent an improvement in at least some regards, I attach little weight to the level of improvement that would be achieved. This would be insufficient to outweigh the harm that would be caused by the installation of slimline sealed units to the significance of the building, even taking into account the fact that one of the existing windows is already double glazed. There would therefore be a net negative effect. It follows that the listed building would not be preserved, contrary to the expectations of the Act, and of the National Planning Policy Framework (the Framework), paragraph 193 of which states that great weight should be given to the conservation of designated heritage assets.
15. The appellant states that installation of sealed units would help to improve energy efficiency. An improvement would indeed be most likely to occur. However, its extent and duration would be modest and of limited broader benefit, even if the most efficient gas was to be used. Furthermore, I am not convinced that other less harmful, or indeed, more sensitive ways of improving the energy efficiency of the building have been fully explored.
16. In this regard both parties have considered the use of secondary glazing, which offers an energy saving alternative. Secondary glazing is again available in a wide range of standard or custom-fitted formats, the sensitivity, functionality, and practicality of which varies considerably. Secondary glazing currently installed at the property consists of panels directly fixed over the window, which is amongst the most rudimentary and functionally limited types, and thus also one of the least practical. It does not therefore provide a sound basis upon which to consider the broader merits of secondary glazing, or therefore to justify double glazing as a more satisfactory alternative.
17. I more generally acknowledge that secondary glazing is a modern intervention, that can give rise to double reflections that are appreciable from outside. However, subject to design, its installation has a far more superficial effect than that of sealed units. This is because the windows of a historic building constitute key components of its design and fabric, whereas secondary glazing do not. In view of this and the above reasons, I attach little weight to the claimed improvement in energy efficiency. Consequently, my finding that the listed building would not be preserved, is unaltered.
18. Slimline double glazing has already been installed within part of the building. The part in question is however a modern extension which lacks the significance of the front elevation. Its presence does not therefore provide a basis upon which the proposed windows can be considered acceptable.

19. The proposal also involves the replacement of 2 doors. One of these doors is located in what appears to be a modern link structure, and the other is the former front door, which looks to be of early-mid twentieth century date. Neither door is therefore an original component of the historic fabric of the building. Insofar as replacements are proposed, no joinery or glazing details have been provided. In this regard the catalogue extracts submitted are not detailed enough to provide a sound basis upon which the suitability of the designs can be assessed. In the absence of adequate information, it is therefore unclear whether the replacement doors would preserve the special interest of the listed building, or conserve its significance.
20. Rooks Cottage is also located within the Conservation Area. 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 Rooks Cottage is one such historic building, it makes a positive contribution to the significance of the Conservation Area.
21. As set out above, the proposals would entail alterations that would diminish the significance of Rooks Cottage. These alterations would be at least partly appreciable from within the public realm. It thus follows that the proposal would also diminish the contribution that Rooks Cottage makes to the significance of the Conservation Area as a whole. Though the adverse effect would be modest, the proposal would nonetheless fail to preserve or enhance the character or appearance of the Conservation Area, again contrary to the expectations of the Act, and paragraph 193 of the Framework.
22. In view of the above, I find that the proposal would cause less than substantial harm to the significance of both Rooks Cottage 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. Having regard to paragraph 196 of the Framework, I have considered the benefits advanced in favour of the works above, and found that these would not outweigh the harm caused. This consideration weighs heavily against a grant of consent.
23. The appeal site also lies within the National Park, within which there is a duty to have regard to the statutory purposes of the designation, one of which is to conserve and enhance cultural heritage. I have also had regard to paragraph 172 of the Framework which states that great weight should be given to this consideration. In view of my findings above, the works would fail to conserve and enhance the cultural heritage of the National Park. This lends further great weight against a grant of consent.
24. For the reasons outlined above I conclude that the proposal would not preserve the special architectural or historic interest of Rooks Cottage, preserve or enhance the character or appearance of the Conservation Area, or conserve and enhance the cultural heritage of the National Park. It would thus fail to satisfy the requirements of the Act, heritage policy set out within the Framework, and, insofar as it is relevant, conflict with Policy SD13 of the South Downs Local Plan 2019 (the LP), which supports the above objectives in relation to works subject of listed building consent. Whilst the Authority also cited Policies SD5, SD12 and SD15 of the LP within the decision notice, these are written with particular regard to 'development', and thus not directly

applicable. Policy SD6 of the LP and Policy 9 of the South Downs National Park Management Plan 2014–2019 (MP), were also cited. However, the Authority has not referenced Policy SD6 elsewhere within its submissions, or provided the text, whilst the 5 year period covered by the MP has expired. The relevance of Policy SD6, and the validity of Policy 9, are therefore unclear. None of these points however affects my conclusion above.

Conclusion

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

Benjamin Webb

INSPECTOR