

Appeal Decisions

Site visit made on 23 February 2021

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal A Ref: APP/N1730/W/20/3261039

Baronmead, The Street, Rotherwick, Hook RG27 9BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Andrew Sharp against the decision of Hart District Council.
 - The application Ref 20/00910/HOU, dated 21 April 2020, was refused by notice dated 15 July 2020.
 - The development proposed is replacement of seven windows on the front elevation.
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Appeal B Ref: APP/N1730/Y/20/3262141

Baronmead, The Street, Rotherwick, Hook RG27 9BL

- 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 Andrew Sharp against the decision of Hart District Council.
 - The application Ref 20/00911/LBC, dated 21 April 2020, was refused by notice dated 15 July 2020.
 - The works proposed are replacement of seven windows on the front elevation.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The proposal relates to a listed building located within a conservation area, and I shall therefore have special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. Both appeals relate to the same site, and I shall consider the Council's decisions to refuse planning permission and listed building consent in a single document, given their similarities, and in the interests of brevity.
5. The description of the proposed development and works as detailed on the application form has been amended in subsequent documents. I have adopted the descriptions included on the appeals forms, which detail the extent of the proposed development and works more concisely.

Application for costs

6. An application for costs was made by Hart District Council against Andrew Sharp. This application is the subject of a separate Decision.

Main Issue

7. The main issue is whether the proposal would preserve the significance of the Grade II listed building known as Baronmead, and whether it would preserve or enhance the character or appearance of the Rotherwick Conservation Area.

Reasons

8. Baronmead is a two-storey detached property dating from the early 19th century, which is listed at Grade II. Although a large extension has previously been added to the side of the property, the listed building retains much of its original character, having notably regard to its red brick construction, red tiled hipped roof and rhythm provided by the timber casement windows to the front elevation. The significance of Baronmead primarily resides in its architectural and historic interest as a property defined by its simple and ordered form.
9. The appeal property lies within the village of Rotherwick, which is designated as a Conservation Area. The special interest of this designated heritage asset derives in particular from its rich collection of historic buildings and distinctly rural character which, as noted within the Conservation Area Character Appraisal¹, is reflected by the dispersed layout of buildings along both sides of The Street allowing views over the adjoining fields and woodland, but also the large gardens, wide grass verges and clipped front boundary hedges.
10. Baronmead lies within a spacious plot with a wide frontage onto The Street. Although the appeal property is set back from the road frontage, and partially screened by the mature hedge to its front boundary, there is no doubt that this listed building makes an important contribution to the character and appearance of the Rotherwick Conservation Area.
11. The proposed development and works relate to the replacement of single glazed windows to the front elevation of the property. The effect of such works on heritage assets is a matter which has been considered as part of a previous appeal². In dismissing the appeal, the Inspector found that 'the highly uniform, flat appearance and double surface would be at odds with the single glazed windows, which are in character with the listed building and in its most historic part'.
12. The windows which are proposed to be replaced do not form part of the building's original fabric, and I agree that they are not in themselves of special architectural or historic interest. That said, these windows are single glazed, and the simple design of the first floor casements in particular is considered sympathetic to the listed building's age and style. The windows also contribute to the understanding of how the property has been adapted and altered over time.
13. The proposed double glazed units are intended to match those installed in the extended part of the house, but such a uniform approach would erode the appreciation of the property's history. The proposed glazing would inevitably be thicker than the single panes of glass which are currently fitted. Additionally, the reflective properties of the new windows as proposed would clearly identify them as modern double glazed units.

¹ Rotherwick Conservation Area Character Appraisal and Management Proposals (August 2011).

² APP/N1730/Y/17/3182629.

14. The appellant argues that the overall thickness of the bars and retainers as proposed, as well as the depth of the new windows would compare very favourably with the existing windows, but the drawings of the proposed elevations are not sufficiently detailed to ascertain this. Despite the use of timber frames, I am not therefore satisfied, having regard to the available evidence, that they would constitute like-for-like or suitable replacements.
15. As a result, the proposed development and works would be harmful to the significance of the listed building. By reason of the important contribution that the appeal building makes to the Rotherwick Conservation Area, it follows that the proposal would also be detrimental to the character and appearance of this designated heritage asset.
16. The proposed development and works would cause less than substantial harm to the listed building and the Rotherwick Conservation Area, to which I ascribe considerable importance and weight. In such circumstances, paragraph 196 of the National Planning Policy Framework (the Framework) advises that the harm should be weighed against the public benefits of the proposal.
17. The appeal scheme would improve the thermal efficiency of the property and enhance the living conditions of existing occupiers. These would constitute private benefits, but may also be reasonably regarded as modest public benefits, insofar as they could help securing the long-term future of the appeal property as a designated heritage asset.
18. The appellant's submissions include details of an inspection carried out by a local joiner. Whilst it remains unclear whether the windows subject to this appeal are all beyond repair, I accept, having regard to the presented evidence and my own observations, that the deterioration of some of the existing casements is such that their replacement may be required. However, I have not been presented with substantive evidence demonstrating that these considerations could not be satisfactorily addressed by alternatives which would be less harmful than the proposed double glazed windows. Overall, the presented public benefits would not outweigh the identified harm.
19. My attention has been drawn to a listed building consent application³ for replacement windows of a similar style to the proposal at Bunkers Hill House, which was allowed on appeal⁴. Limited information has been presented regarding the details of this particular case, but I understand that Bunkers Hill House lies in a more remote location, outside the Conservation Area, and that the Inspector found the proposed windows more sympathetic to the character of the building than the existing. That said, and in the absence of further evidence to the contrary, I cannot therefore be certain that the circumstances that led to this proposal being accepted represent a direct parallel to the appeals before me.
20. For the foregoing reasons, the appeal scheme would fail to preserve the significance of the Grade II listed building, but also the character and appearance of the Rotherwick Conservation Area. The proposal would therefore be contrary to Section 16 of the Framework, Sections 16(2), 66(1) and 72(1) of the Act, Policies NBE8 and NBE9 of the Hart Local Plan (Strategy and Sites)

³ Local Planning Authority Reference 17/02245/LBC.

⁴ APP/N1730/Y/3191753.

2032⁵ and Saved Policy GEN1 of the Hart Local Plan (Replacement) 1996-2006 Saved Policies⁶. Amongst other things, these seek to ensure that proposals conserve or enhance heritage assets and their settings, taking account of their significance.

21. The appeal scheme would also be in conflict with Policies BE01 and BE02 of the Rotherwick Neighbourhood Plan⁷, which notably require that 'in circumstances where the windows are beyond repair, they should be replaced with like for like wooden windows and with a painted and not stained finish'.

Conclusion

22. A number of interested parties have expressed support for the proposed development and works, which I have taken into consideration. However, if the appeals were allowed, the proposed windows would become a permanent feature within the street scene, which I have found harm to. There are no material considerations which indicate that the appeals should be determined other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that both appeals should be dismissed.

S Edwards

INSPECTOR

⁵ Adopted April 2020.

⁶ Adopted 1 May 2020.

⁷ Adopted 15 December 2016.