



Appeal Decision

Site visit made on 19 May 2021

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

an Inspector appointed by the Secretary of State

Decision date: 27 May 2021

Appeal Ref: APP/D1780/Y/20/3264965

Cerberus House, Castle Lane, Southampton SO14 2BU

- 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 Colin Warburg of MKG Property Holdings Limited against the decision of Southampton City Council.
 - The application Ref 20/01258/LBC, dated 29 August 2020, was refused by notice dated 16 November 2020.
 - The works proposed are described as to change the current single glazed windows to more efficient double glazed uPVC windows.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in relation to Flat 2 of Cerberus House. However, the plans submitted indicate that windows on the east elevation of Cerberus House belonging to all 5 of the flats that it contains, would be replaced. I have therefore considered the appeal on this basis, and amended the site address in the banner heading above accordingly.
3. The design and access statement additionally indicates that secondary glazing would be installed on windows in the north elevation of Cerberus House. I have therefore also considered the appeal on this basis.
4. Insofar as the works would involve the replacement of windows serving flats, the submissions do not indicate that a related application for planning permission exists. It is not the purpose of this decision to consider the potential merits of such an application were it to be made.
5. There is uncertainty as to whether Cerberus House is covered by entry in the statutory list entitled 'Landsdowne House'. Confusion can be partly attributed to the appellant's unsubstantiated claim that Cerberus House has been previously delisted, and the Council's past advice that it was not listed at all. Neither party has sought any further clarification of the matter from Historic England.
6. The facade of the building described within the list as Landsdowne House is clearly identifiable as the large brick faced edifice adjoining the west side of Cerberus House, which is indeed named Landsdowne House. The list description makes no obvious mention of Cerberus House itself, which is, by contrast, of different design and stucco fronted. Moreover, based on the

presence of flush faced sash cases on the windows of the first floor front elevation, Cerberus House may conceivably be of earlier date than Landsdowne House.

7. Some uncertainty nonetheless arises given the past and present agglomeration, enlargement and later physical separation of buildings within the block. In this regard, Cerberus House is currently entered through an attachment to the side of Landsdowne House, which, in all respects except its scale, matches the design, construction and appearance of the main façade of the latter. Despite the apparent relationship, it is not however shown to be connected internally, and it is not mentioned in the list description. On the strength of evidence before me it is not therefore possible for me to be certain of the extent to which Cerberus House is or is not included within the Grade II listing of Landsdowne House.
8. Ultimately, the question of whether or not listed building consent is required does not affect the validity of the appeal. Consequently, I shall decide it on its merits, and on the basis that Cerberus House is part of the listed building. However, should it be later clarified by Historic England that Cerberus House, or the relevant parts of it, either is or are not in fact listed, my decision will have no effect.

Main Issue

9. The main issue is whether the works would preserve a Grade II listed building, or any of the features of special architectural or historic interest that it possesses; and whether the works would preserve or enhance the character or appearance of the Old Town West Conservation Area (the Conservation Area).

Reasons

10. Insofar as it is relevant to this appeal, the special interest and significance of the listed building resides in the eighteenth date, and the formal architectural design and detailing of the brick faced edifice described in the list. This notably includes recessed, timber, multi-pane, single glazed sash windows. As outlined above, the particular historic relationship between this and adjoining structures, including Cerberus House, is unclear. Cerberus House however appears to be of similar if not earlier date, and also features timber, multi-pane, single glazed sash windows. In this regard the windows in the east elevation, which appears to be a later refacing, and partly includes an extension added at the south end of the building, are recessed, whereas those on the north elevation include some which are flush fitted. The age and design of the windows is therefore mixed, and it is furthermore apparent that some have been previously replaced. Their character is as a whole nonetheless generally consistent, and complements that of the windows installed within the frontage of Landsdowne House.
11. The only plans set before me are floor plans. No drawings detailing the proposed replacement windows and secondary glazing were provided with the application, and none have been provided with the appeal. In the absence of such details it is impossible to fully assess the effects of the scheme, or its acceptability. Given the latter, this matter cannot be resolved by the imposition of a condition.

12. It is clear that most of the windows in the east elevation of Cerberus House are in cosmetically poor condition. However, I have also been provided with no evidence that they are structurally unsound, or incapable of refurbishment or simple redecoration, or that their replacement is therefore necessary.
13. The appellant has otherwise stated that the replacement windows would be made from plastic, double glazed and that they would tilt. Insofar as it is possible to say in the absence of more specific details, the installation of plastic framed windows within the building would be wholly at odds with its date, its historic character and its appearance. So too would be the use of double glazing, which is an appreciably modern product, typically associated with the use of a heavy or applied glazing bars, and visually dissimilar in its reflective qualities to single glazing. The change from sliding to tilt operation would further undermine the integrity of the overall design, and disrupt the lines of the building whenever the windows were opened. Given that windows of the type described would be both discordant and incongruous, their installation would give rise to acute harm. The scheme would not therefore preserve the listed building, and it would as such conflict with the expectations of the Act.
14. The site is also located within the Conservation Area. Insofar as it is relevant to the appeal, the significance of the Conservation Area resides in remaining components of the historic street layout and the collection and interrelationship of surviving historic buildings and spaces that this contains. Given its age, design, and location, the listed building makes a positive contribution to the significance of the Conservation Area.
15. The scheme would entail alterations that would diminish the significance of the listed building, and these would be clearly appreciable from within the public realm. It follows therefore that the scheme would also diminish the contribution that the listed building makes to the significance of the Conservation Area as a whole. The scheme would therefore fail to preserve or enhance the character or appearance of the Conservation Area, and it would as such again conflict with the expectations of the Act.
16. In view of my findings above, the scheme would also conflict with paragraphs 193 and 194 of the National Planning Policy Framework (the Framework), which set out the great weight to be attached to conservation of designated heritage assets, and the need for clear and convincing justification for any harm. In this regard I find that the scheme would cause less than substantial harm to the significance of both the listed building and 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 paragraph 196 of the Framework it is necessary to balance this harm against the public benefits advanced in favour of the scheme.
17. The appellant states that the scheme would help to improve ease of maintenance, sound proofing and energy efficiency. Given that ease of maintenance and sound proofing would be private rather than public benefits, they attract no weight. A presumed improvement in energy efficiency would be of some public benefit, albeit of negligible scale, and the more so when offset against the carbon cost and typically short lifespan of double glazed units. Furthermore, and notwithstanding the proposed use of secondary glazing on the north elevation, I have been presented with little evidence that energy

efficiency could not be improved in other less harmful ways. Consequently, the public benefits of the scheme would be clearly insufficient to outweigh the harm that it would cause to the significance of designated heritage assets.

18. For the reasons outlined above I conclude that the scheme would not preserve the special architectural or historic interest of the listed building, 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, saved Policy H3 of the City of Southampton Local Plan Review 2015, which states that proposals will not be permitted which adversely affect the character of a listed building, and where insufficient information is provided to allow a full assessment of the proposal and its impact.

Conclusion

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

Benjamin Webb

INSPECTOR