
Appeal Decision

Hearing held on 27 and 28 April 2021

Site visit made on 21 June 2021

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2021

Appeal Ref: APP/J4423/Y/20/3264088
59 Greenhill Main Road, Sheffield S8 7RE

- 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 Robert Housley against the decision of Sheffield City Council.
 - The application Ref 20/02318/LBC, dated 6 July 2020, was refused by notice dated 22 October 2020.
 - The works proposed are the replacement of windows and entrance door to the front elevation and replacement of small bathroom window to dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the banner heading above is taken from the Council's decision notice and was agreed by both main parties at the hearing to accurately describe the works proposed.
3. The appeal relates to a grade II listed building in a conservation area. The Council's reason for refusal refers only to the effect of the works on the listed building and to the glazing bars on the windows proposed. However, I am mindful of my statutory duties under sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) and I have considered the appeal accordingly, taking into account all aspects of the works proposed.
4. Additional drawings were submitted with the appeal which were not before the Council when it made its decision. They include cross-sections showing the top, middle and bottom rails in the sash windows and clarification regarding the detail of the arched window on the first floor¹. They therefore provide further information to supplement the drawings and specifications which formed part of the application to the Council. The additional drawings were discussed during the hearing and I have taken them into account in my decision.
5. A revised National Planning Policy Framework (the Framework) was published on 20 July 2021. I have given the main parties the opportunity to comment on this.

¹ 'Mr & Mrs Housley Quote Ref: 361/1 V13 Item 6 – Arched Front Fixed Window' drawing and 'Vertical Section Details – Top, Middle and Bottom Rails' drawing Rev B.

Main Issues

6. The main issues are whether the proposal would preserve the grade II listed building, 59 Greenhill Main Road, and any of the features of special architectural or historic interest that it possesses, and the effect on the character or appearance of the Greenhill Conservation Area (GCA).

Reasons

Special interest of the listed building and character and appearance of the GCA

7. The appeal relates to a detached, double-fronted stone house dating from around 1829. It is located on Greenhill Main Road in the village of Greenhill and surrounded by other historic stone buildings and some more recent infill development.
8. The building is Georgian in style, with a formally designed front elevation including a central door with a fanlight, a fixed casement arched window on the first floor above it and tall sash windows to either side. Although the historic windows appear to have been replaced, the existing windows are single glazed and made up of small, individual panes of glass held in place by slim glazing bars in timber frames. As such, they have maintained an appearance similar to that of historic sash windows. The front door is a 20th century replacement and has 8 panels, more than is generally typical of panelled doors in the Georgian period. Nevertheless, and whilst more extensive alterations have taken place to the rear of the building, the historic, formal, designed appearance of the front elevation of the building has been well preserved and is a prominent and distinctive feature in the context of other historic buildings around it, which are generally more vernacular in their appearance.
9. Insofar as it relates to this appeal, the special interest of the listed building is drawn from its historic interest as part of the older part of Greenhill village and from the architectural detailing of its formal front elevation and its side elevation facing School Lane.
10. The site is within the GCA. The GCA encompasses the historic core of Greenhill village including the church and former school on School Lane, commercial buildings on Greenhill Main Road and houses of various ages and designs along those routes, many of which are stone-built and vernacular in style. Insofar as it relates to this appeal, the significance of the GCA is drawn from those buildings which remain as evidence of the historic growth and evolution of the village. As a distinctive building within that older part of the village, which has maintained the historic character and appearance of its prominent front and side elevations, the appeal building makes a positive contribution to the character and appearance of the GCA.

The effect of the proposed works on the listed building and the GCA

11. The proposal relates to the replacement of the building's front windows and front door and a small, first floor, fixed casement window in its side elevation facing School Lane. The sash windows would be replaced with timber framed sash windows, the fixed casement windows with timber framed fixed windows. The front door would be replaced with a timber door with vertical boarding detailing and a small central window near the top.

12. The proposed sash windows would have panes divided into an 8 over 8 pattern. The pattern of glazing in the windows and the slim profile of the glazing bars proposed would be consistent with the property's age and design.
13. However, the windows would be fitted with double glazed units which would comprise 8mm thick glass to their outer panes and 4mm thick glass to their inner panes, with a 12mm cavity between the panes. Each window would be fitted with one such unit, subdivided internally by spacer bars that would align with glazing bars fitted to its external faces, rather than with individual smaller panels held in place by glazing bars running through the depth of the window.
14. The glazing bars would be manufactured in such a way that they would be attached together to form a single grid of bars, the edges of which would then be chamfered to the same angle as the window frames before being fixed to the frames and sealed. From the detailed information provided regarding the construction of the windows I am satisfied that the glazing bars would not simply be stuck onto the window frames with adhesive, but would be constructed as an integral part of the window units and fixed to the frames themselves. Therefore, and as a condition could be attached requiring the glazing bars to be constructed and fitted in the manner thus described, I am satisfied that the bars would not readily become detached or cause the appearance of the windows to deteriorate over time as a result.
15. Nevertheless, with an overall depth of 24mm, the double glazed units would be significantly deeper in profile than would be characteristic of windows in a property of this age and design. Even if the thickness of the glass in each pane was not readily discernible, the wide cavities and the spacer bars within the units would be evident between those panes, a including in close-up and oblique views of the windows from within the building and from the footpath which runs alongside its front elevation.
16. Notwithstanding the depth of the timber window frames themselves, the double glazing units proposed and the rebates required to accommodate them would be disproportionately and uncharacteristically deep and would appear unduly heavy and bulky within those frames. As a result, the windows would fail to preserve the authenticity or appearance of the listed building's front and side elevations. Therefore, notwithstanding the method of manufacture of the windows and the glazing bars, I conclude that the replacement windows would harm the special interest of the listed building.
17. With a vertical boarded design and small central window, the proposed front door would have an unduly rustic appearance which would be more consistent with the vernacular buildings around the site than with the formally-designed appeal building. The existing front door is not historic and has 8 panels, more than would typically be expected on panelled Georgian doors. Nevertheless, the more rustic design of the proposed door would represent an even more significant departure from the formal appearance of this Georgian building than that existing panelled door. It would thus further erode the formal appearance of the appeal building and the sense of distinction which currently exists between it and the more vernacular historic buildings around it. It would therefore not preserve or enhance the special interest of the appeal building.
18. Given the above, the proposal would fail to preserve the special interest of the listed building. As the appeal building is a prominent listed building within the

GCA, the unsympathetic alterations to its windows and front door would also cause harm to the appearance of the GCA.

19. As each window would be fitted with one double glazed unit, each would only have to be etched with a single 'kitemark' to demonstrate compliance with relevant safety standards. The appellant indicated that, if smaller glazing units with through glazing bars were used, as suggested by the Council, each of those smaller units would require a kitemark and thicker glazing bars would be needed, with implications for the appearance of the building and the light levels within it. However, from all that I have read and heard, I am not satisfied that the suggestions discussed would necessarily be the only available options for the replacement of the existing windows and this matter does not alter my conclusions regarding the harm that would arise as a result of the proposal before me, which I have considered on its own merits.
20. Alterations have previously been carried out to the rear of the appeal building, including the installation of double glazed UPVC windows. However, the presence of those features does not alter my conclusions regarding the harm that would arise from the alterations now proposed to its more prominent and well-preserved front and side elevations.
21. Numerous historic buildings within the GCA have had their windows replaced with double glazed timber or UPVC windows. However, I do not have full details before me of those alterations or the circumstances in which they were carried out. Moreover, from the evidence before me it is not apparent that all of those other buildings were listed. Therefore, I cannot be certain that they were directly comparable to the case before me which, in any event, I have considered on its own merits.
22. My attention has also been drawn to other works recently carried out within the GCA, including works at the adjacent public house, a telecommunications equipment cabinet alongside the appeal property and the construction of new housing on School Lane. However, those works are not directly comparable in nature to those now proposed, which I have considered on their own merits. Any effect on the GCA which may have arisen from previous works within it does not justify the harm which would arise from the proposal before me.
23. Although no objections to the proposal were received from any interested parties, the absence of objection does not amount to an absence of harm and does not alter my conclusions above.
24. For the reasons given I conclude that the works would not preserve the special interest of the grade II listed building or the appearance of the GCA. In the context of the listed building and the GCA as a whole the harm arising would be less than substantial. Nevertheless, I give considerable importance and weight to that harm and to the presumption that preservation is desirable. The Framework requires any such harm to be weighed against the public benefits of the proposal.

Public benefits

25. I have been referred to noise from the adjacent road, footway and beer garden being audible within the appeal property, including from live music being played outside the public house, and to deficiencies of the existing single glazed units in terms of their acoustic and thermal insulation properties.

26. At the hearing the appellant advised that the composition of the double glazed units proposed, including the thickness of the external panes and of the units overall, had been chosen as a result of the desire to reduce noise from those external sources, and would achieve higher levels of sound reduction than slimmer double glazed units.
27. However, in the absence of a noise survey or other substantive evidence regarding existing noise levels, I cannot be certain as to the extent of acoustic mitigation that would be necessary in order to achieve satisfactory sound levels within the building or that the specific glazing units proposed would be the only means of achieving satisfactory internal sound levels for its occupants.
28. The appellant has been in contact with the owners of the neighbouring public house regarding noise from live events. Restrictions relating to the Covid-19 pandemic have meant that such events have not taken place in the recent past. However, I have not been presented with substantive evidence to indicate that other means of resolving those issues via relevant enforcement regimes, such as those under environmental health legislation, have been exhausted prior to the imposition of those restrictions or since.
29. Therefore, based on the evidence before me, I am not satisfied that the windows proposed would necessarily be the only means of addressing the issues identified with regard to noise or of achieving satisfactory sound levels within the building.
30. Greater thermal insulation and energy efficiency are public benefits. However, in the absence of detailed evidence regarding the thermal performance of the proposed windows or comparison with any alternatives considered, I cannot be certain as to the extent of any such benefits that would arise from the proposed windows or that the specific windows proposed would be the only means of satisfactorily improving the thermal efficiency of the building.
31. I have had regard to the somewhat deteriorated appearance and condition of the existing windows and door and note that water ingress has taken place around them in places. However, I am not satisfied that the specific windows and door proposed would be the only means of addressing such matters.

Heritage balance and conclusion on the main issue

32. Given the above, from the evidence before me I cannot be certain that the windows and door proposed would be the only means of addressing the issues which have been identified or achieving the benefits highlighted. Consequently, the weight I afford those matters as public benefits is limited and does not outweigh the harm I have identified.
33. The proposal would fail to preserve the special interest of the grade II listed building, 59 Greenhill Main Road, and would cause harm to the appearance of the GCA. It would therefore fail to satisfy the requirements of the Act and the Framework. It would also conflict with Policies BE15 and BE19 of the Sheffield Unitary Development Plan and Policy CS74 of the Sheffield Development Framework Core Strategy. Amongst other things those policies require proposals to respect the distinctive heritage of the city and preserve or enhance buildings and areas of special architectural or historic interest.

Other Matters

34. The additional drawings received during the appeal have not been subject to publicity. However, the drawings provide supplementary detail regarding the proposed works, they do not alter the nature of the works proposed. Therefore, and as I have found the proposal unacceptable despite the submission of those further details, I am satisfied that no party has been prejudiced by my having taken them into account.

Conclusion

35. For the reasons given, I conclude that the appeal should be dismissed.

Jillian Rann
INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Robert Housley
Bev Hales

Appellant
Director, Timber Windows of Sheffield Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Roy Mcleod BA (Hons) Urban Studies
Dipl. Town Planning

Planning Officer, Sheffield City Council

Zoe Mair BA (Hons) Town Planning
IHBC

Conservation Officer, Sheffield City Council

Rachel Carrington

Assistant Planning Officer, Sheffield City
Council

DOCUMENTS SUBMITTED DURING THE HEARING

1. Sash Horn Options drawing Rev B
2. Vertical Section Detail – Trickle Vent Option drawing Rev B
3. Updated versions of Vertical Section Detail – Top, Middle and Bottom Rails drawing Rev B.
4. Photograph showing existing dining and main bedroom windows.
5. Suggested condition regarding the omission of trickle vents.
6. Agreed list of relevant drawings.
7. Suggested condition requiring detailed scale drawings of interface between glazing bars and window frames.
8. Survey and Installation Manual: Assure Certification England dated July 2017.
9. The Building Regulations 2010 Approved Document K: Protection from falling, collision and impact.
10. NHBC Technical Guidance 6.7/17: Marking of safety glass (January 2016) (First Issue).
11. Photographs showing sample windows, glazing bars and frames.
12. Suggested condition specifying dimensions of panes and cavity within proposed double glazed units.
13. Written specification regarding manufacture of proposed windows including glazing bars and suggested condition requiring glazing bars to be manufactured and installed in accordance with that written specification.