



Appeal Decision

Site visit made on 9 November 2021

by Jo Dowling BA(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14th December 2021

Appeal Ref: APP/Y9507/Y/21/3269343

Ffowlers Bucke, The Street, South Harting GU31 5QB

- The appeal is made under section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs Walton against the decision of the South Downs National Park Authority.
 - The application Ref SDNP/20/01960/LIS, dated 18 May 2020, was refused by notice dated 27 July 2020.
 - The works proposed are replacement of windows to the front elevation
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Decision

1. This appeal is allowed and listed building consent is granted for the replacement of windows in the front elevation at Ffowlers Bucke, The Street, South Harting GU31 5QB in accordance with the terms of the application ref SDNP/20/01960/LIS, dated 18 May 2020 subject to the following conditions:
 1. The works to which this consent relates, must be begun not later than the expiration of three years beginning with the date of this consent.
 2. The works hereby permitted shall be carried out in accordance with the following approved plans: 1495/S-01, 1495/A-01 and Slim glazing bars and slimline Dgu.
 3. No works shall take place until written confirmation of which glazing bar profile shown on plan "slim glazing bars and slimline Dgu" has been submitted to the local planning authority. The windows shall be installed in accordance with the approved details and retained thereafter.
 4. No works shall take place until a revised plan based on plan "Walton, Ffowlers bucke" showing a ground floor casement window has been submitted to and approved in writing by the local planning authority and the windows shall be installed in accordance with the approved details and retained thereafter.
 5. No works shall take place until details of the design of the windows at first floor, including cross sections, at a scale of 1:10 or 1:20 have been submitted to and approved in writing by the local planning authority. The drawings shall be based on the design of the windows shown in plan 1495/A-01 and the works shall be carried out in accordance with the approved details and retained thereafter.
 6. The double-glazed units hereby approved shall be no thicker than 12mm and shall have a black internal strip.

7. Upon completion of any element of the works for which Listed Building Consent is hereby granted, any damage caused to the fabric of the building shall be made good.

Procedural decision

2. The original application was for "*replacement windows to the front elevation and like for like replacement roof tiles as shown on drawing no: 1495/P-01*". The Appellant has advised that they only wish to appeal the refusal of listed building consent for the replacement windows. As a result, they have asked that the description of development be amended to "*Replacement windows to the front elevation*". Considering the judgement given in *Bernard Wheatcroft Ltd v Secretary of State for the Environment and Harborough District Council* (1980), I consider that no parties would be prejudiced through the omission of the works to the roof and I have therefore amended the description of development to reflect this request and determined the appeal on this basis.
3. The Appellant has also requested a modification to the design of the first-floor windows. Plan 1495/A-01 was submitted with the appeal and I was asked to consider the appeal on the basis of the revised plan. This plan would supersede plan 1495/P-01. The new plan shows that the proposed windows at first floor level whilst still being double glazed would no longer have horizontal glazing bars. I have no objection to the omission of the glazing bars and have sought the views of the Council on this matter. As the Council have not responded on this matter, I have assumed that they do not object to the deletion of the glazing bars and as with the omission of the roof no parties would be prejudiced through my consideration of this plan. I have therefore considered the appeal on this basis.
4. Since the application was determined the National Planning Policy Framework (the Framework) has been updated. The decision made by the Council refers to paragraphs 189, 193 and 196 of the 2019 Framework. The same wording can be found in paragraphs 194, 199 and 202 of the 2021 version and it is these paragraphs that I have referred to when considering the appeal.

Main Issues

5. The main issues are:
 - whether the proposal would preserve a Grade II listed building, Ffowlers Bucke, and any features of architectural or historic interest that it possesses; and
 - the effect of the proposal on the character and appearance of the South Harting Conservation Area.

Reasons

6. South Harting is a linear village with the historic core focused on The Street where the appeal property, Ffowlers Bucke, is located. Properties in this part of the South Harting Conservation Area although of different designs and eras tend to form continuous terraces or pairings generally sited on the back edge of the pavement. As a consequence, the area is characterised by a tight urban grain. I observed on my site visit that there were a variety of different window styles and designs within the Conservation Area albeit that the majority of windows included some form of glazing bars.

7. Ffowlers Bucke is a Grade II listed building. Originating from the late 16th Century the timber framed property was formerly a tenement and is now a house. The property was restored in the 1970's when a shopfront and bay window were removed enabling the ground floor frontage to be removed and recessed and the original timber jetty to become visible. New window openings were created at ground floor and a new window was also inserted at first floor over the gated access to the rear. The existing windows at first floor were also replaced at this time.
8. The proposed works would consist of replacing all of the windows in the front elevation with timber slimline double-glazed units. The design of the first-floor units would remain the same whereas the ground floor units would be replaced with a simple two pane casement design.
9. I note from the correspondence with the Council that the Council's Conservation and Design Officer had no immediate objection to the use of two pane windows on the ground floor. The concern of the Council appears to be the use of double-glazed as opposed to single glazed units which the Council consider would be inappropriate for this property.
10. I consider that the current windows are non-historic windows which were inserted in the 1970's when the front façade was extensively remodelled. Furthermore, I observed on site that the secondary glazing which has been installed in a number of windows is visually very prominent and given its depth results in a noticeable double reflection. In my opinion, this detracts from the character and appearance of the listed building and the South Harting Conservation Area.
11. I acknowledge that double glazed units can have a thicker and heavier appearance than single glazing and can require unsympathetic alterations to frames and glazing bars to accommodate the additional weight and thickness of the double-glazed units. However, because the proposal would use slimline double-glazed units, I consider that there would be limited visual effect on the bulk and detail of the proposed windows and whilst there would be some double reflection this would be far less noticeable than that caused by the current secondary glazing. The use of a black internal strip would minimise the visibility of the gap between the windows and would mimic the shadow gap found on single glazed units. Furthermore, as the proposal would use the existing openings there would be no incidental damage to the historic building fabric as a result of removing the existing windows.
12. The proposed two pane window design and the use of slimline double-glazed units would enable the removal of the visually prominent secondary glazing and would introduce a window design that would reflect the design of windows elsewhere in the Conservation Area. I therefore consider that the proposed replacement windows would not detract from the special architectural and historic interest of the listed building or its significance or the character and appearance of the South Harting Conservation Area.
13. The proposal would therefore comply with policies SD5, SD6, SD12, SD13 and SD15 of the South Downs Local Plan (2019) and General Policy 9 of the South Downs National Park Partnership Management Plan 2014-2019 which seek good quality design and to conserve and enhance the character and appearance of an area and the heritage assets that it contains. These policies reflect the advice contained within the Framework.

14. The Council have cited a number of appeal decisions as setting precedent for refusing the use of double glazing. However, I consider that the circumstances for these appeals differ to the appeal site and as a result they do not lead me to a different view in this case.

Conditions

15. The Framework sets out a number of tests that conditions need to meet. I have considered the conditions suggested by the Council and unless otherwise stated judge that they meet the tests. Where necessary for clarity or enforceability I have re-ordered them or adjusted the wording. In addition to the standard time limit in the interests of enforceability I have imposed a condition requiring the works to be carried out in accordance with the approved plans. For clarity and precision, I have referred to the plans by their file names rather than the reference given to them by the Council in the decision notice. I have also only listed those plans that are relevant to this decision.
16. I assume from the wording of the condition that the Council suggested that they are satisfied with any of the options for glazing bars shown on plan "Slim glazing bars and slimline Dgu". However, for the benefit of precision and enforceability I consider that confirming which design is to be used is necessary.
17. Plan "Walton, Ffowlers bucke" shows a first-floor two pane casement window. Under the amended proposal only two pane windows would be installed at ground floor with the design of the first-floor windows remaining the same. For clarity and enforceability, I therefore consider that a condition requiring the submission of a revised plan showing the ground floor window would be necessary. Furthermore, I consider that a condition requiring submission and approval of the details of the first-floor window at a greater scale than that shown on plan 1495/A-01 is necessary to ensure that a window of the same design albeit with a double-glazed unit would be installed.
18. I agree with the Appellant's suggestion that a condition requiring the internal strip to be black and to set the thickness of the glazing units to 12mm, the minimum possible overall unit thickness, is necessary in order to minimise the appearance of the double-glazed units.
19. I consider that a condition requiring that any damage caused to the building by the works be made good is necessary to ensure that the new windows preserve the special architectural and historic interest of the listed building and the character and appearance of the South Harting Conservation Area.

Conclusion

20. Accordingly, for the reasons set out and subject to the conditions discussed I conclude that the appeal should be allowed.

Jo Dowling

INSPECTOR