The Planning Inspectorate

Appeal Decision

Site visit made on 14 December 2021

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 07 January 2022

Appeal Ref: APP/Y2003/Y/21/3272200
Ashdale House, Wootton Road, Ulceby, North Lincolnshire DN39 6XT

- 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 David Mollett against the decision of North Lincolnshire Council.
- The application Ref: PA/2020/1857, dated 15 November 2020, was refused by notice dated 29 March 2021.
- The works proposed are described as 'removal of all existing wooden framed single glazed sash windows, currently in a state beyond economic repair and their subsequent replacement with identical looking PVCu windows.'

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. This replaced the 2019 version. My Decision is made in the context of the revised Framework.

3. The name of the appeal building as stated in the application form is Ashdale House. However, the listed building description refers to it as Ashdale Farmhouse. They are the same building. I have referred to the appeal building as stated in the application form, Ashdale House, throughout my Decision.

4. The Council's delegated report and decision notice cites conflict with section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 (the Act). However, section 66(1) of the Act concerns 'whether to grant planning permission for development which affects a listed building or its setting.' As the application and appeal concern 'whether to grant listed building consent for any works', the proposal requires to be assessed against section 16(2) of the Act. I have therefore determined the appeal on this basis. Both sections of the Act require 'special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' As both main parties have addressed this within their respective evidence, I am satisfied that their interests have not been prejudiced by this approach.

Main Issue

5. The main issue is whether the proposed works would preserve the special architectural and historic interest of the Grade II listed building, Ashdale House.

Reasons

Special interest and significance

6. Dating from circa 1830, Ashdale House is a grand, detached farmhouse situated in generous grounds. The property comprises a symmetrical, two-storey, three-bay main house, with a two-low-storey, three-bay wing to the right. It is constructed of grey brick to the front and red brick to the rear with a Welsh slate roof.

7. From the evidence available to me, I consider that the special interest and significance of Ashdale House to be largely derived from its historic interest and architectural interest as an early 19th-century farmhouse. The building's age, historic fabric and aesthetically pleasing form and design, including its fenestration, all make important contributions in these regards.

Appeal proposal and its effects

8. The property's fenestration mostly comprises 6 over 6 single-glazed, painted timber, vertical sliding-sash windows. Also present are some single-glazed, painted timber, casement windows; single-glazed, painted timber, 6 by 6 Yorkshire sash windows; and more recent PVCu windows. The appeal proposal is to replace the existing single-glazed, painted timber, sash windows with PVCu units with a 'like-for-like' appearance.

9. The classic proportions, elegant design and traditional materials of the property's historic timber windows causes them to be principal architectural features of the house. The proposal would result in their irreversible loss. This, of itself, would adversely diminish the historic and architectural interests of the building and would not sustain its significance.

10. I have had regard to the poor condition of the historic timber windows and the cost differences of replacing them in timber or PVCu as declared by the appellant. Nevertheless, no detailed and robust assessment of the condition of the historic timber windows has been submitted. As such, I cannot be certain that their condition is so poor that all or some of the windows could not be retained and sensitively refurbished by an experienced tradesperson. Furthermore, whilst the appellant asserts that numerous quotations were obtained, only one quotation for the replacement of the historic timber windows with PVCu units has been presented. Consequently, I am unable to make any valid comparisons in terms of costs.

11. Even if I accept that the historic timber windows are beyond repair and require to be totally replaced, the proposed base material of PVCu is a synthetic fabric whose smooth, shiny, modern appearance would not satisfactorily capture the character of the painted timber finish that currently exists. As a result, the proposed windows would appear discordant and out of keeping with the traditional natural materials of the building.

12. Moreover, even though the appellant contends that the proposed windows would be 'almost visually identical' in relation to the historic timber windows, no full, large-scale details have been provided to allow me to undertake a meaningful appraisal of their form, design and appearance, or to enable a detailed comparison. Given the centrality of this issue to the acceptability of the proposal, I am of the opinion that it would not be appropriate to leave it to be controlled by conditions. Having regard to the extract from the Trade Glaze

Ltd Brochure and the quotation, I am not convinced that the proposed windows would satisfactorily replicate the fine traditional joinery details of the historic timber windows. This deficiency of the proposed windows' design would be compounded by the different reflective qualities of the two double-glazed panes of glass and the incorporation of overtly modern elements such as trickle vents.

13. Drawing the above together, the unsubstantiated loss of the historic timber windows, combined with the unsympathetic materials and poor detailing of the proposed windows, would considerably erode the historic and architectural integrity of Ashdale House and detrimentally undermine its heritage merit. As such, the proposal would not conserve the designated heritage asset in a manner appropriate to its significance.

14. I am aware that the property is on private land some distance from the nearest public highway and so any changes would not be unduly conspicuous in public views. Nevertheless, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not close public views of the building can be gained.

15. Consequently, I find that the proposal would fail to preserve the historic interest and architectural interest of Ashdale House. As a result, it would harm the special interest and significance of this designated heritage asset.

Public benefits and balance

16. Paragraph 199 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.

17. With reference to Paragraphs 201 and 202 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the limited nature of the works relative to the building as a whole, I find the harm to the listed building to be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the optimum viable use of the building.

18. The appellant submits that the proposal would improve the energy efficiency of the property which would, in turn, lead to reduced heating fuel consumption. Furthermore, that the use of PVCu as the base material would result in reduced maintenance requirements and ensure the longevity of the new windows.

19. Even so, any improvements to the building's thermal insulation and energy efficiency from the proposal have not been quantified. Given that the proposal relates to a single property, any environmental benefits which would flow to the public at large are likely to be minimal. It is clear that the benefits which would accrue from the proposal would primarily be of a private nature to any owner or occupier of the property.

20. In coming to my decision I have given careful consideration to the appellant's comments regarding their personal health and well-being; the urgent need to replace the windows in a financially viable way; and that, if the appeal were to

be dismissed, the existing windows would have to remain in their current state for the foreseeable future. Nevertheless, from the limited information submitted, I am not satisfied that similar public benefits could not be achieved by a proposal which would be less harmful to the significance of the designated heritage asset and potentially less costly to the appellant. Furthermore, no compelling evidence is before me which confirms that the optimum viable use of the building as a dwelling would be at risk if the existing windows were not replaced as proposed. In these respects, the identified harm to the significance of Ashdale House has not been clearly and convincingly justified.

21. Consequently, in giving considerable importance and weight to the harm to the significance of the designated heritage asset of Ashdale House, I find that this would not be outweighed by the public benefits arising from the proposal.

22. I therefore conclude that the proposal would not preserve the special architectural and historic interest of the Grade II listed building, Ashdale House. As such, it would fail to satisfy the requirements of section 16(2) of the Act and Paragraphs 197, 199 and 200 of the Framework.

23. Applications for listed building consent are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore development plan policies do not carry the same weight as when considering planning applications. Nevertheless, I find that the works would not accord with Policy HE5 of the North Lincolnshire Local Plan, 2003, in so far as it seeks to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. Whilst not referred to in the Council's decision notice and reason for refusal, I note that it would also be contrary to Policy CS6 of the North Lincolnshire Core Strategy, 2011, which seeks to protect, conserve and enhance North Lincolnshire's historic environment.

Other Matters

24. The appellant questions the listed status and importance of Ashdale House, contending that it is not comparable in terms of grandeur and links to the local Church, relative to other buildings in the area. Nevertheless, Ashdale House was listed as a building of special architectural and historic interest in 1985 and is included on the National Heritage List for England. It is not for me as part of this appeal to consider and/or make a judgement on the relative merits of the building's listed status. I have considered the appeal on the basis that Ashdale House is a listed building and assessed the proposal against the current legislative and policy context.

25. Reference is made by the appellant to other properties within the local area that have had similar PVCu sash windows installed, some of which are also listed properties. However, no details of the properties, the replacement windows or the circumstances which led to their acceptance have been submitted. As such, I am unable to make any meaningful comparisons with the proposal before me. In any event, I have determined the appeal on its own planning and conservation merits and concluded that there would be harm which is not outweighed by sufficient public benefits.

Conclusion

26. For the reasons given above, I conclude that the works would not preserve the special architectural and historic interest of Ashdale House and would harm its

significance. There are no other considerations or sufficient public benefits that would outweigh this harm. It would therefore fail to satisfy the requirements of the Act, the Framework and development plan policies in so far as they are relevant. Accordingly, the appeal is dismissed.

F Cullen

INSPECTOR