



Appeal Decision

Site visit made on 21 January 2022

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2022

Appeal Ref: APP/H0520/Y/21/3281118

7 The Quay, St Ives, Cambridgeshire PE27 5AR

- 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 Mark Wakeford against the decision of Huntingdonshire District Council.
 - The application Ref 19/00846/LBC, dated 23 April 2019, was refused by notice dated 14 June 2021.
 - The works proposed are to 'Replace all visible current windows to the front and side elevations with wooden sliding sash double glazed windows as per Allen Bros 1811 collection for conservation areas, finished in white'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application submitted to the Council was made on a form pertaining to both planning permission and listed building consent. However, the appeal before me only relates to the application for listed building consent. I have therefore proceeded on this basis.
3. A revised version of the National Planning Policy Framework (the 'Framework') has been published since the Council issued its decision. In this instance the changes that are most relevant to this appeal only relate to paragraph numbering and are not substantive.

Main Issues

4. The main issues in this appeal are: 1) Whether the proposed works would preserve the Grade II listed building known as 7 The Quay or any features of special architectural interest that it possesses; and 2) Whether the proposal would preserve or enhance the character or appearance of the St Ives Conservation Area (CA)¹.

Reasons

Whether the proposed works would preserve the listed building

5. 7 The Quay was listed in 1972 and is currently in use as a dwelling. It exhibits several historic layers including what is probably an 18th Century façade, perhaps over an early modern (17th Century) timber frame. In this respect the

¹ Although the application is for listed building consent, Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 applies to any application made under a planning act. Therefore, it is necessary for me to consider the proposal's effect on the character and appearance of the CA, as the Council has done.

building is a repository of historic construction techniques and styles. It also tells us something about how people in the past lived. The simple elevations also have a pleasant appearance. Accordingly, the significance/special interest of the listed building, in the context of this appeal, is the evidential, historic and aesthetic value that can be derived from it.

6. The building exhibits a mixture of window styles, which is a testament to the historic layering. The two first floor 4x4 sash windows in the front elevation (W4 and W5) likely date to the 18th Century, perhaps pre 1775 due to the exposed boxes. Window W2 is a 12 light sash that has a deeper reveal and possibly dates from the Victorian era. Window W1 is a more modern insertion that perhaps replaced an earlier sash window. It is a single glazed bow window with a 4x4 configuration to the panes. It therefore draws some inspiration from the first-floor sashes. Door D1 is recessed, has a similar glazing pattern to W1 and incorporates a fan light. It is possible that D1 and W1 date from the 1950s.
7. Thus, from the evidence before me it would seem that W4 and W5 are of high evidential value as an example of an early window style. W2 is also of evidential value but perhaps not to the same extent due to being a later insertion. As likely mid-20th Century alterations, W1 and D1 are of limited evidential value. Collectively, the windows are of timber construction and are single glazed with similar sized panes and frames. This provides a unifying appearance, especially as they are all painted white. As a result, these existing windows add to the aesthetic value of the building.
8. Window W7FF is an unusual horizontal sliding sash that is sometimes referred to as a 'Yorkshire window'. The Council suggest this window is also from the Georgian period due to the small panes and slim glazing bars. I have no reason to disagree. Likewise, I have no reason to doubt the Council's conclusions that W8 is a Victorian era window of some significance because it points to the style of the time. Similarly, I share the Council's view that W6 and W7GF are more modern windows of neutral value. Door D2 is a pleasant half glazed door with 6 panes. It is Victorian in design but may be more recent. It suits the period character of the building.
9. The proposal would see the existing windows replaced on a wholesale basis by modern double-glazed windows design to reflect a period style. Removing the historic fenestration (W4, W5, W2, W7, W8 and possibly D2) would result in historic features of significance being lost. Replacing W1 and D1 with double glazed units would upset the unity currently evident in the front elevations. As a result, there would be harm to the evidential and aesthetic value of the building. There may be more scope to replace W6 and W7, but the double-glazed units proposed would be quite thick and notable given the ground floor location and proximity to passers-by.
10. The appellant argues that the proposed windows would provide a more harmonious and unified appearance to the building's fenestration. In some respects that would be true because the windows would be of a similar style and would all be new replacements dating from the same time. However, the surviving mix of window styles is an important part of understanding the historic layering of the building. The age of the windows also provides a patina and character. As a result, the unified design does not justify the proposal.
11. The appellant has stated that the windows are rotten and bow. He submits that the windows are therefore in need of replacement due to an absence of

adequate maintenance over time. However, I have not been provided with substantive evidence, such as a specialist report, to demonstrate the windows are beyond reasonable repair. In the absence of this, and given their significance, it would be unwise to sanction the replacement of the historic windows on account of their purported condition.

12. In conclusion, the proposal would harm the special interest and significance of 7 The Quay. In so doing it would fail to preserve the listed building, contrary to the expectations of The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). It would similarly be at odds with the expectations of Paragraphs 197 and 199 of the Framework, which requires great weight to be given to the conservation of designated heritage assets.

Whether the proposal would preserve or enhance the character or appearance of the Conservation Area

13. The St Ives Conservation Area (CA) encompasses the historic quayside which in turn is focussed on the corridor of the River Great Ouse. This area incorporates a historic street plan and a cluster of historic buildings. The CA therefore derives much of its significance from its landscape setting and the rich mix of attractive period architecture. Historic windows are an important and authentic feature in the street scenes of the CA.
14. As the CA derives much significance from the authenticity found in its period architecture, the replacement of historic windows with modern replicas, albeit of a potentially high quality and not unattractive style, would result in some harm to its significance and special interest. Such incremental changes can undermine an area's special character and appearance over time, especially in prominent locations such as the appeal site. In so doing, the proposal would fail to preserve the CA as a designated heritage asset, contrary to the expectations of the Act and the Framework.

Other Matters

15. 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 they do when considering planning applications. Nevertheless, I note that the proposed works as a whole would be contrary to Policy LP34 of the Huntingdonshire Local Plan to 2036.
16. There are some isolated examples of double-glazed windows at other buildings in the vicinity of the appeal site. However, it is unclear whether these windows replaced historic fenestration that was capable of being repaired. As a result, I am not satisfied the examples referred to by the appellant involved schemes where the circumstances were similar to those before me. Thus, there is no inconsistency between my findings and those of other decision makers. Moreover, whether the proposed works would preserve the significance of the listed building is a matter that often turns on its unique and specific character. Therefore, alterations at other buildings may be of limited relevance, as is the case here.
17. The appellant has suggested that they would not pursue the replacement of the fenestration facing Free Church Lane if that would assist their case. However, for the reasons given above, this would not alter my overall findings.

Heritage Balance

18. The proposal would result in historic windows of value and significance being removed. The appellant has failed to justify this with reference to the condition of the windows. Notwithstanding this, the proposed windows would incorporate thick double glazing. This harm to the listed building would be serious but not severe and therefore it would be 'less than substantial' within the meaning of the Framework. Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.
19. Double glazing could prevent condensation and improve the energy efficiency of the building. These benefits would improve the comfort of future occupants and need to be carefully considered in the context of climate change. However, in the absence of substantive evidence to the contrary, I cannot discount the possibility that the windows could be repaired. Moreover, it is unclear whether other measures, such as secondary glazing, have been explored.
20. Thus, when giving considerable importance and weight to the desirability of preserving² the listed building³ or preserving or enhancing the character or appearance of the CA⁴, the overall harm that would arise from the proposal would not be outweighed by its public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to designated heritage assets would not have clear and convincing justification

Conclusion

21. The proposal would fail to preserve the listed building or the character and appearance of the CA. There are no other considerations or public benefits that would outweigh the harm identified. The proposal would therefore fail to satisfy the requirements of the Act, the Framework and development plan policies insofar as relevant. Accordingly, for the reasons given, the appeal has failed.

Graham Chamberlain
INSPECTOR

² In this context preserving means doing no harm

³ See Section 16(2) The Planning (Listed Buildings and Conservation Areas) Act 1990.

⁴ See Section 72(1) The Planning (Listed Buildings and Conservation Areas) Act 1990.