



Appeal Decisions

Site visit made on 26 January 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2022

Appeal A Ref: APP/G2815/W/21/3272282

Cherry Tree Cottage, 28 The Green, Ashton PE8 5LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Miss Carina Horan against the decision of East Northamptonshire Council.
- The application Ref 20/01056/FUL, dated 30 August 2020, was refused by notice dated 27 January 2021.
- The development proposed is replacing the existing draughty, single-glazed windows in the rear and side elevations:
 - to the rear downstairs bathroom (single window), kitchen (double), third bedroom (double) and upstairs WC (single), and
 - to the side master bedroom (triple window) and landing (double)with double-glazed aluminium casements (Alitherm Heritage), matching the windows currently in place

Appeal B Ref: APP/G2815/Y/21/3275168

Cherry Tree Cottage, 28 The Green, Ashton PE8 5LD

- 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 Miss Carina Horan against the decision of East Northamptonshire Council.
- The application Ref 20/01057/LBC, dated 30 August 2020, was refused by notice dated 27 January 2021.
- The works proposed are replacing the existing draughty, single-glazed windows in the rear and side elevations:
 - to the rear, downstairs bathroom (single window), kitchen (double), third bedroom (double) and upstairs WC (single), and
 - to the side, master bedroom (triple window) and landing (double)with double-glazed aluminium casements (Alitherm Heritage), matching the windows currently in place

Decisions

Appeal A Ref: APP/G2815/W/21/3272282

1. The appeal is dismissed.

Appeal B Ref: APP/G2815/Y/21/3275168

2. The appeal is dismissed

Preliminary Matters

3. The descriptions above focus on the specific works subject of these appeals. However, in reaching my decisions I have had full regard to the lengthier descriptions contained on the application forms. I note as well that in the

submissions the third bedroom is sometimes referred to as the office and I have considered the appeals accordingly.

Main Issues

4. The main issue with the works subject of these appeals is whether they would fail to preserve the special architectural or historic interest of the building and cause harm to its significance, and whether they would fail to preserve the character or appearance of the Ashton Conservation Area, and again harm its significance. Moreover, if harm would be caused to the significance of either or both of these designated heritage assets, a further issue is whether that harm would be outweighed by public benefits.

Reasons

5. Having regard to the *Ashton Conservation Area Review*, I consider the significance of the Conservation Area lies to a great extent in the way it covers an unusually complete example of a model village. In its current form this village dates from about 1900, and comprises mainly detached, semi-detached and terraced cottages built in an attractive Arts and Crafts style grouped along informal lanes and around a village green. The buildings share many design features, materials and so on, and this means that visually the conservation area is strongly unified and cohesive, which very much adds to and enhances its character and appearance.
6. While the buildings complement each other and so contribute cumulatively to the significance of the conservation area, their value is not just in what they add to the village as a whole. I understand that many are individually listed and so are deemed to have a special architectural and historic interest in their own right.
7. The terrace comprising 26, 27 and 28 The Green is Grade II listed. Its significance lies to a great extent in it being a good example of design from the Arts and Crafts style. In this regard, its special architectural and historic interest are found partly in its form, its visual cohesiveness, the high quality of the craftwork, and its materials.
8. Its windows are a particularly important aspect of its special architectural and historic interest. They sit within stone surrounds and are leaded. Those that can be opened have relatively thin metal frames, whilst those that cannot be opened have no frames at all, with the leading running up to the stonework. The effect of this is to give the windows a light, simple appearance and, especially in the case of the non-openable ones, emphasise very much the role of the surrounding stone in supporting the glazing. As such, they are a striking and notable element of the terrace. To my mind the simplicity and lightness of the windows and their relationship to the stonework contribute positively to the special architectural and historic interest of the building and add to its significance. Furthermore, this window design and detail is commonly seen on the other properties and is one of the features that unifies the conservation area, and so adds to the significance of that asset too.
9. The upstairs WC window is of a different design, being smaller, square and, I was told, top-opening. Despite this, it still has a slender frame and mullions and so was not appreciably at odds with the dwelling's other windows.

10. Having regard to the details on the submitted drawings and photographs, I do not accept the intended works would match the windows currently in place. Rather, the proposal would introduce noticeable frames around the non-openable windows where none are now found. They would also appreciably thicken the frames around those that could be opened, including around the top-opening light of the upstairs WC. As a result, the windows' apparent simplicity, lightness of structure, craftwork and relationship to the stonework around would be notably eroded. I consider this would appreciably reduce the contribution the windows made to the significance of the building, and so detract from the special architectural and historic interest of the terrace. As such, the works would cause harm, albeit less than substantial, to the building's significance.
11. Furthermore, by changing the character of the windows in this way the works would erode one of the unifying elements of the conservation area, and so fail to preserve its character and appearance. They would therefore similarly cause less than substantial harm to the significance of this designated heritage asset.
12. The works would be on the side and rear elevations, which are less prominent from the public domain. However, the listed status relates to the entire building, and the conservation area includes the rear garden. As such, I see no basis to protect either asset only from the areas where public access is greater. I am aware too of the windows that have been installed at Miller's Cottage, but the fact that the Council found them to be acceptable does not bind me in my decisions. I also understand they were by a different company and so may not reflect exactly what is now before me. Whilst windows matching those at Miller's Cottage might also have been used at other historic properties, each building is different and it does not necessarily follow that means they will be acceptable in this context. Having seen those windows, I therefore have no basis to change my findings in relation to these current appeals.
13. The *National Planning Policy Framework* (the Framework) says that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, with any harm to its significance requiring clear and convincing justification. In paragraph 202 it adds that if less than substantial harm is identified, it should be weighed against the scheme's public benefits.
14. The appellant is proposing the works to improve energy efficiency, which is in line with current Government objectives and is also promoted in the Framework. I recognise that for such improvements to be achieved, it is necessary, in part at least, for steps to be taken by individual householders in their individual properties. Although such actions may, of themselves, each result in relatively little value in this regard, they could contribute cumulatively to a greater benefit. As such I recognise this could be a public benefit under the terms of Framework paragraph 202. However, the guidance on energy-efficiency is not to be considered in isolation, but rather should be weighed alongside the Government's emphasis on the conservation of heritage assets. There therefore needs to be a balanced approach between energy, design and heritage matters when making decisions.
15. I saw condensation and mould on the inside of the property's windows, and I realise they are single-glazed and face the prevailing winds. As such, I accept there might now be energy-efficiency issues around these windows. However,

while I appreciate the appellant's concerns and intentions, for the reasons stated I consider the windows currently make a particularly important contribution to the significance of the listed building and the conservation area. I also have no substantive evidence before me to show the impact of other approaches or solutions on either the energy efficiency of the building or the historic significance of the context, whilst the building's ability to function as a dwelling has not been called into question. Taking these points together, I accept that seeking improved energy efficiency is a public benefit, but it has not been shown it is of sufficient weight to outweigh the harm identified.

Conclusion

16. Accordingly, I conclude the works would not preserve the special architectural or historic interest of this Grade II listed building, and would not preserve the character or appearance of the Ashton Conservation Area, causing less than substantial harm to the significance of both these designated heritage assets. In the absence of any public benefit that would outweigh this harm, I consider the works would be contrary to Policy 2 in the *North Northamptonshire Joint Core Strategy*, which seeks to conserve and enhance heritage assets, and the Framework. The appeals are therefore dismissed.

JP Sargent

INSPECTOR