
Appeal Decision

Site visit made on 12 January 2022

by Elaine Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State

Decision date: 07 February 2022

Appeal Ref: APP/P2935/Y/21/3276868

West House, Chillingham, Northumberland NE66 5NN

- 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 Edward Ginns against the decision of Northumberland County Council.
 - The application Ref 20/02282/LBC, dated 20 July 2020, was refused by notice dated 22 December 2020.
 - The works proposed are 'listed building consent for replacement of all single glazed windows with double glazed units matching the current design'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the works varies between the application form and the subsequent documents. I have therefore used the wording on the decision notice as it describes the works clearly and concisely.

Main Issue

3. The main issue is the effect of the proposal on the character or appearance of West House, a grade II listed building.

Reasons

Significance

4. The appeal site is one of the estate cottages included in a single list entry entitled 'Stable Yard at Chillingham incorporating Coach House, Bridge House and West House'. Dating from the early 19th century, West House is built of pink dressed sandstone with a Welsh slate roof. Architecturally, it is described as being of a 'very restrained Tudor style'.
5. Its facades are plain, with architectural treatments limited to the stone window surrounds and the striking stepped eaves cornice, all in a stone similar to that of the main walls. To the front and end elevations, the windows comprise small paned metal casements set within sturdy timber frames. The ground floor windows are divided into four lights, whereas the smaller first floor windows comprise two lights and a central division. One of the ground floor windows is a later replacement.

6. The windows in the rear elevation are timber sash and case in a two over two arrangement. The surrounds comprise simple stone cills and lintels. In addition, there is a much smaller non-opening window that consists of a single pane in a timber frame.
7. Much of the interior of the building has been altered, having previously fallen into disrepair. However, West House remains an attractive example of its type of estate housing. Its exterior has great aesthetic value, and the variety of window sizes and styles adds to the interest of the façades. In addition, the building has significant historic value within the group of buildings that form the stable yard, and as part of the wider estate associated with Chillingham Castle. These factors all contribute to the significance of the building.

The effect of the proposal

8. It is proposed to replace the existing single glazed windows with double glazed units. The metal casements would be replaced with white powder-coated metal versions which would be set within the existing timber frames. The sash windows and fixed unit to the rear would be replaced with timber double glazing within the existing openings.
9. The appellant states that the windows are generally in very poor condition with a number of broken, cracked or replaced panes in poorly fitting units. This leads to poor thermal performance, condensation, damp and also some black mould, which I saw on my visit. However, whilst the windows may be in need of repair, there is little in the evidence before me to suggest that they are beyond repair.
10. The 1990 Act sets out that special regard shall be had to 'preserving' listed buildings and any features of special architectural or historic interest they possess. In view of this positive duty of preservation, robust justification is needed for the loss of historic elements that make a strong contribution to the significance of the building, such as the windows in this case.
11. The appellant asserts that the concept of the windows being 'beyond reasonable repair' is entirely subjective. However, the present condition of the windows could be quantified in a condition survey, and a programme of the necessary repairs set out. Whilst undoubtedly some element of judgement is required, this would be tangible evidence that would inform the decision making process. In the absence of such evidence, the loss of the historic and architectural significance embodied in the windows has not been justified.
12. Even if the wholesale replacement of the windows could be accepted, a number of issues arise with regard to the proposals. I am concerned that limited details showing the comparative dimensions of the existing and proposed windows have been submitted. I am therefore unable to be certain of the extent to which the new windows would satisfactorily match the existing windows. Even a modest increase in the size of the frames or other elements would result in replacements that would appear more bulky than the single glazed windows, and therefore out of keeping with the appearance of the listed building.
13. The proposed double glazing would appear modern and quite distinct from the existing single glazing due to the double reflection that arises from the use of two panes. A further difference would arise from the need for internal

perimeter seals between the edges of the two panes of glazing. Furthermore, the use of applied rather than structural glazing bars would depart from the traditional method of construction of the existing windows, and the appearance of such bars would be wholly out of character with the listed building.

14. Finally, a number of further details would be at variance with the existing windows. With regard to the ground floor metal window replacements, it is proposed that the top left hand sections in each would have a top-hung opening mechanism. There is no evidence that this is a historically accurate detail within this range of buildings. Turning to the rear sash windows, the proposed replacements are shown as plain sashes with a one over one pane arrangement and no horns. This does not accurately reflect the design of the existing windows, which have two panes over two with central glazing bars, and also incorporate horns. There appears to be little justification for these further departures from the style and character of the existing windows.
15. Drawing the above factors together, I conclude that the overall effect of the proposed windows would be unacceptably detrimental to the architectural and historic character and significance of the listed building.
16. Accordingly, therefore, the works would conflict with the overarching statutory duty as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, which must be given considerable importance and weight, and with the National Planning Policy Framework (NPPF). In addition, the appeal scheme would conflict with Policy F1 of the Berwick-upon-Tweed Borough Local Plan, which gives primary importance to sustaining and enhancing heritage.
17. Although serious, the harm to the heritage asset in this case would be less than substantial, within the meaning of the term in paragraph 195 of the NPPF. Paragraph 196 requires that, where there is less than substantial harm, the harm should be weighed against the public benefits of the works.
18. The appellant states that the double-glazed windows would be warmer and more environmentally efficient in terms of heating the house. However, little substantive evidence has been produced that would quantify such a benefit, which limits the weight I can afford it in my consideration.
19. The NPPF sets out the clear need to address climate change, and I am mindful of the Council's ambitions to achieve carbon neutrality. However, these aims need to be balanced with the duty to conserve heritage assets. Any public benefit in terms of energy efficiency would be marginal, due to the small scale of the appeal site. There may be benefits in terms of, for example, the ease of use of the windows and addressing the damp problems, but these would be purely private. Moreover, all these benefits might be achieved through more sympathetic proposals that would better preserve the listed building.
20. Whilst I acknowledge the appellant's commitment to protect the heritage asset, I find that insufficient public benefits have been identified that would justify or outweigh the harm I have identified to the listed building. The scheme therefore conflicts with the NPPF, which directs, at paragraph 193, that great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Other matters

21. My attention has been drawn to a number of other listed building consents for replacement windows within the Council area. However, I have not been provided with the details of these cases, and so I cannot be certain of the circumstances that led to the acceptance of these proposals. This limits the weight I can give to these previous decisions. I have taken into account the representations in support of the scheme, but these have not led me to a different conclusion on the main issue of the appeal.
22. The appellant states that the Council issued their decision over 17 weeks after the application was submitted. However, procedural matters relating to the application process fall outside the scope of this appeal, and should be raised directly with the Council.

Conclusion

23. For the reasons above, I conclude that the harm to the heritage asset would be unacceptable, and contrary to the development plan as a whole, and so the appeal should be dismissed.

Elaine Gray

INSPECTOR