



Appeal Decision

Site visit made on 7 June 2022

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2022

Appeal Ref: APP/P1940/Y/21/3276687

Hill Top, Penmans Hill, Chipperfield WD4 9DJ

- 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 and Mrs Littlejohn against the decision of Three Rivers District Council.
 - The application Ref 20/2577/LBC, dated 27 November 2020, was refused by notice dated 29 January 2021.
 - The works proposed are the installation of windows & door in existing openings.
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Decision

1. The appeal is allowed, and listed building consent is granted for the installation of windows & door in existing openings at Hill Top, Penmans Hill, Chipperfield WD4 9DJ in accordance with the terms of the application Ref 20/2577/LBC dated 27 November 2020 and the plans submitted with it.

Main Issue

2. The main issue in this case is whether the works fail to preserve the listed building and any features of special architectural or historic interest which it possesses, and whether they would harm the building's significance as a designated heritage asset.

Procedural matters

3. I have had regard to the description of works on the application form, namely '*the regularisation of replacement windows [part] and doors in existing openings*', but I consider the description above is more in line with what is before me and the need for consent found in the legislation.
4. There is some uncertainty as to whether the frame of the conservatory or just its door was part of this application. I consider that replacing a conservatory frame cannot reasonably be described as *replacement windows in existing openings*. Furthermore, although Drawing HT05 says the conservatory was upgraded in PCVC it does not expressly identify those works as amongst the ones being considered. Consequently, I have not assessed the replacement of the frame. On that plan there are also 2 doors referenced ED3. Having regard to the plan's schedule of works I have taken the appeal to concern only one door, which is the one to the conservatory.

Reasons

5. Historic England Advice Note 2, called *Making Changes to Heritage Assets*, highlights that doors and windows are frequently key to the significance of a building. Replacement is therefore generally advisable only where the original

is beyond repair, it minimises the loss of historic fabric and it matches the original in detail and material. It contends that secondary glazing is usually more appropriate and more likely to be feasible than double-glazing where the window itself is of significance.

6. This is reflected in the Historic England document *Traditional Windows, Their Care, Repair and Upgrading*. It says that historic windows, whether original or later insertions, whose designs follow historic patterns, usually make an important contribution to the significance of historic buildings. Where a window that diminishes the significance of the building, such as a UPVC¹ window or an 'off the peg' timber window of an inappropriate pattern, is to be replaced the new window should be designed to be in keeping with the period and architectural style of the building. It identifies the loss of traditional windows from older buildings and the use of replacement UPVC windows as among the major threats to our heritage. Despite attempts at improving the design of these windows it considers they are instantly recognisable because they cannot match the sections and proportions of historic joinery.
7. Hill Top is Grade II listed, with its oldest part dating from the late 17th Century (the older part). This element comprises a timber-framed cottage, that, because of its scale, form and detailing, still reflects its origins as a simple house in this rural location. Its significance therefore lies in its historic, aesthetic and evidential value. The windows in this older part are of a construction and style that reflects the simplicity of the original building, being of painted timber with any opening element being flush with the surrounding frame. They therefore add appreciably to its value and significance.
8. The cottage though has been extended significantly at various times, with 2 relatively recent and sizeable additions to its rear (the recent extensions). The first was built in the 1960s, before the property was listed, and this was, in turn, extended some 20-30 years ago, after the listing. I do not question that these extensions are pleasing in their own right, being built in an Arts and Crafts style that generally sits well in this rural area. However, they dramatically increase the overall size of the dwelling, overwhelming the 17th Century element because of their combined scale and height, and concealing it to a great extent from a large part of the curtilage. Therefore, although they are part of the listed building, they do not make a positive contribution to the significance of this designated heritage asset.
9. I have few details of the windows that were replaced by those before me. From the information I have though, their proportions were broadly acceptable (although the panes in the 2 bays were larger than expected). It is clear too that they had timber frames, but it appears they displayed little in the way of historic joinery practices. Given this, noting the few places from where the older part can be seen with the windows on the recent extensions and mindful of the contribution those extensions make to historic value of the building as a whole, I consider those previous windows did not add to the building's special architectural or historic interest, or make an important positive contribution to its significance. For these reasons they also could not be defined as original architectural features, as traditional, or as historic fabric. The possible unacceptability of timber windows is recognised in the Historic England advice

¹ Throughout the submissions make reference to IPVC, UPVC, PCVC and PVC-u as possible window materials. Whilst appreciating slight differences between them, for the avoidance of doubt, I have referred to these collectively as UPVC, taking it to include the material of the windows and door now in place.

above, where reference is made to 'off the peg' timber windows of an inappropriate pattern that diminish significance.

10. The appeal concerns the recent extensions only, and seeks the replacement of most of their windows, as well as the door to the conservatory, with wood-effect UPVC. No works are shown to any of the windows in what Drawing HT05 identifies as the older part of the cottage. As such, the works I am assessing are in the portions of the building that do not add positively to the historic significance of the listed building, because of their scale and age.
11. The above guidance from Historic England expresses great caution and strong concerns about the use of UPVC windows. However, it does not say they should never be used in designated heritage assets, as there may well be situations where, for whatever reason, such windows do not cause harm to the asset's significance or value.
12. Although close-up, the material of the windows and the projecting nature of the opening elements are discernible, from a distance the windows before me appear to be of a suitable design. The frame and the opening element together have quite a 'chunky' appearance, but that is not at odds with the windows found on the older part or, given their style, what would be expected on the recent extensions. Similarly, in this context the pane size is reasonable, and the windows' proportions are generally sympathetic. As such, they do not look discordant.
13. Moreover, for the reasons given, I consider the windows that were replaced by those before me were not those which the Historic England advice above focusses on retaining. They might have had thinner mullions than the windows subject of this appeal, and, in the case of the 2 bays, they had fewer, but larger panes. I am not satisfied though that there is a need for their appearance to be matched or that changes to those elements have been, of themselves, harmful to the significance of Hill Top.
14. Despite the difference in materials, those previous windows did not make a more positive contribution to the significance of this designated heritage asset when compared to what is before me. As a result, replacing them with the windows subject of this appeal does not diminish the significance of the cottage. I also have no reason to assume those previous windows were unauthorised, so if I dismissed the appeal and enforcement action was taken to secure the re-instatement of windows of that standard, I consider there would be no benefit to the building's historic value.
15. I appreciate that there was opportunity for the owners to replace the previous windows with ones that were more historically sympathetic. The benefit of such an enhancement though was limited given the relationship of the recent extensions to the older part. Seeking such enhancement in this case would also go beyond the requirement for preservation and an absence of harm to significance found in statute and national guidance, and against which this appeal is assessed.
16. Overall, I therefore acknowledge the Historic England advice concerning the insertion of UPVC windows into listed buildings. However, taking into account the impact of the recent extensions and the nature of the previous windows, I conclude the windows before me do not fail to preserve the special architectural or historic interest of the building, and do not cause harm to the

significance of this designated heritage asset. As such, they do not conflict with the Framework or, insofar as they are a material consideration in this appeal, Policies CP1 and CP12 in the *Core Strategy* (2011) or Policy DM3 in the *Development Management Policies Local Development Document* (2013), which all broadly seek to conserve and enhance listed buildings among other things.

Conditions

17. Mindful that the works have already been undertaken, no conditions are necessary.

Conclusion

18. For the reasons given I conclude that listed building consent should be granted.

JP Sargent

INSPECTOR