



Appeal Decision

Site visit made on 4 October 2022

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 9 November 2022

Appeal Ref: APP/H0928/D/22/3304850

Church View Cottage, The Butts, Alston, Cumbria CA9 3JU

- 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 Mr Alastair Robertson against the decision of Eden District Council.
 - The application Ref 22/0181, dated 2 March 2022, was refused by notice dated 7 July 2022.
 - The development proposed is described as “replacement of rotting, very high maintenance, single-glazed, non-recyclable, white painted softwood, Georgian pane windows, with maintenance-free, double-glazed, 100% recyclable, white UPVC, two-over-two pane windows”.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Eden District Council’s ‘Alston Conservation Area Character Appraisal and Management Plan’, Draft August 2022, has been published and is subject to a 6-week consultation period planned from 3 October to 14 November 2022. As this document has not been adopted, it has no material weight at this stage.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the Alston Conservation Area.

Reasons

4. Church View Cottage is a two-storey stone-built house, attached to and within a small cluster of other properties. The building, which is purported to be dated to c.1690, is L-shaped, with a later extension added to the frontage, supposedly in the 19th century.
5. The site lies within The Butts, which is part of an irregular arrangement of buildings of different heights and styles surrounded by narrow lanes, close to the Market Place and to the east of the church. This is a feature of the tightknit development of this part of Alston which is supposed to represent the oldest part of the town.
6. The host property is located in the Alston Conservation Area where there are two Directions under Article 4(2). The site is also within the setting of a number of grade II listed buildings, including the Church of St Augustine, Cross View Cottage, H Kearton’s Shops and a property adjoining the east end of

Cross View Cottage. The building has been categorised as a non-designated heritage asset as it is of significant local value.

7. The town, most of which is within the conservation area, is characterised by its hilltop location, irregular layout and steep streets, some of which have surviving cobbled surfaces. The significance results from the surviving medieval layout and well-preserved vernacular historic buildings dating from the 17th century onwards. The religious and civic buildings within the town provide evidence of the economic development of the area and its social status as it developed into the 19th century.
8. The buildings are of stone construction, some with a render finish, with roofs being a mixture of both stone and Welsh slate. Window patterns vary throughout the conservation area, with a significant number being painted wooden windows with a sliding sash. The variety of window styles adds to the character and historic interest of the buildings in the town.
9. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area, whilst Section 66(1) requires special regard to development affecting a listed building or its setting, or any features of special architectural or historic interest which it possesses. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, in this case the Alston Conservation Area, and the listed buildings, great weight should be given to the asset's conservation.
10. The windows on the host property provide a variety of styles, a result of alterations to the building over time. The windows are largely of multi-paned timber construction and include traditionally hung sliding sash windows at first floor level on the front elevation, which reflect many of the windows found in buildings in the conservation area. Other windows are of more modern construction and are top opening, however, overall, they provide a range of single glazed windows which complement the character of both the building and the conservation area.
11. Replacing the existing windows with standardised uPVC frames with double glazed windows would result in thicker frames, with bars applied to the glass. The design would jar with the traditional form and materials found currently. Whilst the appellant considers that the difference between well-made uPVC windows and painted wood are undetectable, the regularised form and texture of the windows would lack the detailing found in wooden windows. Over time, uPVC windows tend to fade and deteriorate, which would have a negative effect on the character and appearance of the building.
12. Church View is a non-designated heritage asset, in a prominent location with the side and front elevations of the building visible along The Butts. It is within the setting of the listed church and the listed buildings backing onto the church grounds and is in an area where there are few examples of uPVC windows. The proposal to introduce a standardised uPVC window frame would therefore be incompatible with the host building, and the character and appearance of the conservation area, which in this part of The Butts, retains a rich variety of historic buildings.

13. In assessing the degree of harm to the significance of the conservation area, and the setting of listed buildings, as designated heritage assets, and as set out in the Framework, this would be less than substantial, as the changes proposed are localised in terms of the Conservation Area as a whole and the effect on the setting of the neighbouring listed buildings. In such circumstances paragraph 202 of the Framework requires the harm to be weighed against the public benefits of the proposal. Whilst the reasons for replacing the windows in the style and materials proposed has been set out by the appellant, this is a private benefit. Although the appellant has put forward some additional environmental benefits for the use of uPVC, instead of timber windows, limited weight is given to these matters.
14. Against the limited public benefit identified, is the great weight that I am required to give the heritage assets' conservation. Accordingly, the public benefits of the proposal do not outweigh the harm to the designated heritage assets.
15. The appellant has highlighted that permission has been given for double glazed uPVC windows for other buildings within the Alston Conservation Area. Whilst I noted that there were examples of both uPVC and wooden windows within the conservation area, I am not aware of the individual circumstances of these proposals, and I have determined the appeal on its own merits.
16. Within 'The Butts', the appellant considers that there is no traditional or vernacular character in the appearance of windows, with a wide range of fenestration styles. Whilst this may be the case, this provides evidence of the variety of building styles and forms within this part of the conservation area which contributes to its interest and significance.
17. In considering the use of secondary glazing, the appellant thinks that this would create issues of ventilation and cleaning, whereas the proposal would provide an effective, practical and attractive material which would increase light levels, and provide a less 'fussy' appearance. While this may be considered as a benefit to the appellant, the design of the double-glazed window does not outweigh the harm that I have identified.
18. The appellant has referenced that the application was considered by the Alston Moor Parish Council twice and recommended for approval; and that a petition of 19 signatories supporting the appeal against Eden District Council's refusal of planning permission has been compiled. The appellant also references that local feeling is that uPVC is the preferred material for windows and there is despair when applications are refused. Whilst there may be local support for the use of uPVC windows, I have identified harm, as set out above, and this does not affect my decision.
19. I conclude that the proposal would be harmful to the character and appearance of the host property and the Alston Conservation Area and that there are no public benefits to outweigh the harm that would be caused to the significance of the conservation area and the setting of listed buildings, as designated heritage assets. The proposal would fail to accord with Policy ENV 10 of the Eden District Local Plan 2014 to 2032 which attaches great weight to the conservation and enhancement of the historic environment, heritage assets and their setting.

Other Matters

20. The Council has stated that Alston Conservation Area is on Historic England's Heritage at Risk Register, having been added for a number of reasons including the replacement of traditional windows with modern materials. This provides further evidence of the harm that replacing windows has on the conservation area.

Conclusion

21. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.
22. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR