



Appeal Decision

Site visit made on 5 June 2023

by David Nicholson RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 June 2023

Appeal Ref: APP/D1265/W/22/3313684

Church House, South Street, Bridport DT6 3NW

- 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 Magna Housing Group against the decision of Dorset Council.
 - The application Ref P/FUL/2021/02804, dated 3 August 2021, was refused by notice dated 30 June 2022.
 - The development proposed is for replacement windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - a. the effect the replacement windows would have on the significance of a non-designated heritage asset,
 - b. whether they would preserve the setting of adjacent listed church, and;
 - c. whether any harm caused would be outweighed by other factors.

Reasons

3. The appeal site lies across the graveyard from the Grade I listed, medieval Gothic church of St Mary. Church House dates from 1929 and is unlisted, although there is no disagreement that it is a non-designated heritage asset¹. It is prominent within the setting of the north side of the church. The list description for the church identifies that: *The nave has three-light Perp windows between buttresses; ... six on the north side*. These aspects of its significance are particularly relevant as the design of the four-centred arches to the stonework to the principle south facing windows to Church House is sympathetic to the Gothic arches in the church. I find that the shape of these windows is of particular importance to the significance of this non-designated heritage asset.
4. In addition, the slender steel frames to the windows to Church House have been carefully shaped to follow the profile of the stonework. They are bespoke Crittall windows which, although in need of some redecoration and repair, appeared to me to be in relatively good condition, with no indication that they have been replaced in almost a century since they were installed. Indeed, they might well have a greater life-expectancy than many possible replacements. It follows that their loss alone would harm the building's significance.

¹ In the parlance of the National Planning Policy Framework (NPPF) paragraph 203

5. The scheme would replace all the windows with modern double glazing, with an option for me to issue a split decision retaining only the windows facing the church. Their replacements would include significantly larger frames and I have few details on how they would be shaped to follow the stone window heads. The manufacturer's brochure illustrates other projects where it claims their windows closely replicate the aesthetic of steel windows, but from my assessment of its photographs that is not necessarily the case. Removing the existing windows after so long might not be straightforward and there would be a risk of damage to the stonework, currently in good condition, with further consequential harm to appearance (as well as cost). For these reasons, I find that the replacements would detract from the significance of this non-designated heritage asset and would be contrary to policy in NPPF§189, that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
6. The slender frames and sympathetic design of the existing windows also contribute positively to the setting of the church. It follows that the harm to Church House, through the loss of these windows and through their replacements, would also cause less than substantial harm to the contribution that setting makes to the significance of the Grade I church. On this issue, I find that the proposals would be contrary to NPPF§199, that great weight should be given to the conservation of a designated heritage asset (and the more important the asset, the greater the weight should be). With reference to NPPF§202 and NPPF§203, I shall consider the scale of any harm the scheme would cause and the weight to public benefits.
7. The Appellant has expressed understandable concerns over the performance of the existing windows, including draughts and noise, and this has been echoed by a number of residents at a time of very high energy bills. The aim of improving energy performance and comfort weigh in favour of the proposals. On the other hand, some of the windows already enjoy secondary glazing which, if only single glazed or not performing properly, could probably be replaced or enhanced without causing comparable harm and I am not aware if high-quality draught-stripping has been applied. Moreover, the Council has tried to reach an accommodation regarding the material, size of profile, glazing gap and other details, and referred to Historic England's guidance, but I am not aware that this has been closely considered.
8. I have noted that the Appellant obtained advice that finding parts for the existing windows would be challenging, but I have no details on this and, given the popularity of Crittall windows, I would be surprised if repair services were not available. I acknowledge that pre-application advice did not rule out replacements, but this pre-dated that of the conservation officer.
9. I accept that a split decision would reduce the harm that would be caused to the setting of the church, but not to Church House itself, and a partial scheme might have unwelcome visual consequences within the building. I have noted that there is a small flat-roofed extension to the building, with a mixture of designs, for which replacement windows would be unlikely to cause harm, but these are not part of the suggestion for a split decision.
10. For all the above reasons, I find that the benefits would not outweigh the harm and that the scheme would be contrary to the NPPF, and Local Plan policies which echo these, and conclude that the appeal should be dismissed.

David Nicholson

INSPECTOR