



Appeal Decision

Site visit made on 7 June 2023

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2023

Appeal Ref: APP/D1265/Y/22/3296906

22 Briantspuddle, Dorchester DT2 7HS

- 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 Julian Pointon against the decision of Dorset Council.
 - The application Ref P/LBC/2021/04420, dated 22 October 2021, was refused by notice dated 11 March 2022.
 - The works proposed are replacement of the existing rotten ground floor angular bay window with new matching angular bay window having heritage double glazing.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The end of terrace dwelling 22 Briantspuddle is a Grade II listed building within the Piddle Valley Conservation Area (the CA). In that context, the main issue to be considered is the effect of the works on the special architectural and historic interest of the listed building and, linked to that, whether it would preserve or enhance the character or appearance of the CA.

Reasons

3. The significance of No 22 is principally in its circa 1700s fabric of thatch and cob. The listing description also refers to the canted ground floor bay window with casements and glazing bars. However, it is evident that the window in situ at the time of the listing was replaced in the late 1980s in plastic. The timber window now in place was most likely inserted in the early 1990s following enforcement action undertaken by the local planning authority of the day.
4. With its strong rectangular profiles, the bay window offers little aesthetically internally. Its panes are, however, single glazed, and one can confidently surmise replicate the simple appearance of their historic counterparts in this respect. From the outside, the glazing bars have a traditional appearance, with the panes fixed with putty. This allows the window to make a small, positive contribution to the character of No 22 and to the pleasant vernacular architecture which defines the 18th century phase of the CA's development.
5. Despite multiple attempts at repair, the bay window is nonetheless decayed and rotten, leading to clear damp issues affecting the surrounding cob. It is undisputed that the bay window is therefore a clear candidate for replacement.
6. The new window would be double glazed. Upon proper inspection, the gap between the panes, with associated spacers, would be apparent. Together with the trickle vents, this would lead the windows to present as clearly modern

interventions without the simplicity of the existing bay window nor the delicacy of the existing single glass panes. I recognise that ovolo profiles are proposed to the same width as the existing glazing bars, but there is no evidence that the previous bars were in that style. As such, the introduction of deep, chunky ovolo profiles within obviously modern windows appears speculative and would offer little of authentic substance to the significance of No 22 in my view. Less than substantial harm would result to the listed building and to the CA.

7. Paragraph 199 of the National Planning Policy Framework (the Framework) explains that great weight should be given to the conservation of designated heritage assets. Paragraph 202 goes on to require decision makers to weigh any less than substantial harm to a designated heritage asset against the public benefits of the scheme, including securing its optimum viable use. That balancing exercise must take place in the context of s.16(2) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which set a strong presumption against a grant of listed building consent for works that would cause harm to the special interest of a listed building and fail to preserve or enhance the character or appearance of a conservation area.
8. The public benefit of the works is that they would improve the thermal efficiency of No 22. However, it seems to me that this benefit could alternatively be provided with a more appropriate, well installed and well-maintained replacement window. The weight I attach to this public benefit therefore falls short of justifying the harm that would be caused; harm that must be given considerable importance and weight in the balancing exercise.
9. The appellant has made the point that other windows within No 22 are double glazed. However, I understand that these windows are within a modern extension of the property and/or to the rear elevation. They therefore read within a modernised context, in an area of the CA without clear public view.
10. Consequently, the works would have an unacceptable effect on the special architectural and historic interest of the listed building and would fail to preserve the character and appearance of the CA
11. For these given reasons, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones
INSPECTOR