
Appeal Decisions

Site visit made on 9 November 2023

by Jonathon Parsons MSc BSc DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2023

Appeal A Ref: APP/V3120/W/23/3320043

Holly Tree Cottage, A320, Buckland, Farringdon, Oxfordshire SN7 8QW

- 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 & Mrs Severn against the decision of Vale of White Horse District Council.
 - The application Ref P/22/V2508/HH, dated 18 October 2022, was refused by notice dated 16 February 2023.
 - The development proposed is replacement of 5 north elevation windows.
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Appeal B Ref: APP/V3120/Y/23/3320045

Holly Tree Cottage, A320, Buckland, Farringdon, Oxfordshire SN7 8QW

- The appeal is made under section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Severn against the decision of Vale of White Horse District Council.
 - The application Ref P/22/V2511/LB, dated 18 October 2022, was refused by notice dated 16 February 2023.
 - The works proposed is replacement of 5 north elevation windows.
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Decisions

1. Appeal A is dismissed. Appeal B is dismissed.

Procedural Matter

2. These decisions address both planning and listed building consent appeals for the same site but the same scheme. The remit of each regime is different, but the main issues relate to both appeals. To reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision letter.

Main Issues – both appeals

3. The main issues are whether the development and works would (a) preserve the Grade II listed building, known as Holly Tree Cottage, or any feature of special architectural or historic interest it possesses, and (b) preserve or enhance the character or appearance of the Buckland Conservation Area.

Reasons

Heritage assets

4. The appeal site comprises a two storey cottage, with a lower rear storey outshot, which forms the end building of a listed terrace. The terrace has a 7

window range that includes two further cottages. It is located at the junction with Orchard Road and St George's Road within the centre of the Buckland Conservation Area.

5. The terrace has an attractive external facing of locally distinctive coursed limestone rubble stone and dates back to 1770-80. It has gable ends, a tiled roof and chimney stacks, the latter 20th century in origin. The statutory list entry (list entry number 1284909) further indicates flat arches, comprising tooled stone, above seven ground floor and four first floor windows. Windows include late 19th and 20th century two-light casements. Internally, windows are set in panelled reveals with panelled shutters and moulded architraves. Attached to the gable wall of the other end terraced dwelling, there is a one and a half storey stable and lower storey coach house to the rear, with a 20th century casement to the front gable.
6. The appeal property, Holly Tree Cottage, has three ground and two first floor frontage windows with the stone arches above. These openings are arranged symmetrically, with the ground floor windows larger in size than the first floor windows. All are characterised by a plain section wooden square frame, fixed sash and side opening casement units, separated by a central mullion with small ogee type mouldings. Each window consists of 6-panes with glazing bars characterised by an ovolo and fillet profile, which range in width from approximately 15mm to 20mm. The ovolo profile is internally matched in the central mullions. Except for the central ground floor window, glass panes have some distortion and there are wooden dowels fixings to the central mullion of the windows, as identified by the appellant's Heritage Statement (HS)¹. Externally, the windows are designed and generally flat in profile, with no projection, with the outer frame and central mullion.
7. As confirmed by the HA, the distorted glass suggests either hand-made or early machine made glass, possibly plate or cylinder glass. Within the central opening window, there is no apparent glass distortion and there are no clear peg joints in the frame. In this instance, the fixed sash has narrow glazing bars and the side opening casement has wider ovolo glazing bars indicating a 20th century replacement. Nevertheless, the fixed sash reflects a 19th century date, perhaps a later 19th century date.
8. The original windows at Holly Tree Cottage are likely to have been leaded casements given the surviving frontage examples on the remaining part of the terrace. The existing window design and glass indicate a later 19th century date for the replacement of these earlier windows, and they depict a stage of architectural window evolution and glazing technology, providing evidential value. Window detailing, with no external projections generally beyond the outer frame and central mullion, and irregular appearance of the glass further results in a high quality aesthetic value to the front elevation of the cottage.
9. The existing windows have been painted over, repaired over time, including with putty, but their legibility remains by reason of their identifiable profile, form and design. To the rear and flank, listed building consent was granted for modern window replacements but such windows are not in such a prominent location, were in an advanced state of decay, and modern in origin. The frontage existing windows, to be replaced, are of far greater value and importance given their historical, evidential and aesthetic qualities, which

¹ Heritage Statement, Holly Tree Cottage, Buckland, JP Heritage, January 2023.

contribute to the significance and special interest of the heritage asset. There is another new first floor window on the frontage which has been granted listed building consent. Whilst this is modern in design and construction, the architectural and historical significance and special interest of the older existing windows, subject to the appeal, remains for the reasons indicated.

10. The Buckland Conservation Area is characterised by groups of historic buildings, several of which are listed including St Mary's Church. Within its core, buildings mainly front onto roads whilst to its periphery, there is a more spacious landscaped feel. Some 20th century development has taken place characterised by small cul-de-sac developments to the rear of frontages. Nevertheless, many buildings are of a domestic scale, mainly faced in similar stone to the appeal property, with pitched tiled roof, and simple design with attractive historical timber casement/sash fenestration. Such a layout, simplicity, materials, fenestration, similarity and age are of importance and value. These architectural and historic qualities contribute to the significance and special interest of the Conservation Area.

Effects of proposals

11. The proposed replacement windows would be slim profile double glazed timber units, with a sill projecting slightly forwards of existing stone and mortar below. The windows themselves would be multi-paned and the uniformity of the pattern of fenestration along the front elevation would be preserved.
12. However, the windows would be externally recessed within an outer frame rather than flat in profile with it, and the new mullion and transom bar detailing would differ from the traditional historical mouldings. The cross-section plans show a projecting sill, central mullion and outer frame. Thus, they would fail to replicate the frame and bar profiles of the existing windows. There would also be the loss of 19th century fabric and an historic refurbishing phase of this listed building, reflecting window design taste and technology at the time, would also be lost. Furthermore, the traditional cottage character of the frontage would be changed by the homogeneity of the new windows' wood, their modern glass and the awkward sill projection beyond the stone and mortar below.
13. For all these reasons, removing the existing windows would fail to preserve the listed building or its features of special architectural or historic interest in conflict with s66(1) and s16(2) of the Act. It follows that if the special interest of a listed building within the Conservation Area, prominently located such as in this case, is diminished, then the character and appearance of the Conservation Area, as a whole, would be incrementally harmed in conflict with requirement s72(1) of the Act.
14. For each heritage asset, the degree of harm to the significance, would, in terms of the National Planning Policy Framework (the Framework), be less than substantial. In accordance with paragraph 202 of the Framework, the harm in each case, should be weighed against the public benefits of the proposal, including securing the optimum viable use.

Planning and heritage balance

15. By reason of their ill-fitting nature and state of repair, the windows result in draughts and cold in the house, leading to discomfort. Looking at the front of

the building, the right hand ground floor window has gaps within the frame which leads to the room being unusable during excessive cold spells. During day light hours, shutters are required in the winter causing the room to be in permanent darkness. For the other rooms, curtains and blinds are required to be kept shut to cut out draughts and maintain warmth. Such problems lead to greater use of heating, energy use, cost and CO2 emissions incrementally causing climate change.

16. Thermal efficiency and energy use reduction would be public benefits, as would the economic benefits to firms associated with the fabrication and installation of the windows. However, there would be an adverse effect on the significance of the listed building and Conservation Area. Internal secondary glazing, including reversible/removable forms at ground floor level where there are the shutters, could bring about improvements in energy efficiency and insulation. They are accepted measures used to address insulation difficulties of listed buildings and yet there is no detailed assessment demonstrating that these measures are impractical, unviable or detrimental to this building's historic fabric.
17. For these types of windows, damp and insect capture between outer and inner elements can be resolved by proper ventilation and cleaning, and in any case, can be issues for many types of windows. In the absence of persuasive justification, thermal efficiency and energy use reduction are not determinative issues for all these reasons. Additionally, there is no evidence of window stonework and mortar sills being in a poor state of repair and therefore, justification for the new sills.
18. In light of the foregoing, the benefits would not outweigh the less than substantial harm identified and the considerable importance and weight this carries for each of the heritage assets. Therefore, conflict arises with the historic environment protection policies of the Framework. Under the Framework, the conflict with historic environment policies would provide a clear reason for refusal.
19. The development would conflict with Policy CP39 of the Local Plan 2031 Part 1 Strategic Sites and Policies 2016, and Policies DP36 and DP37 of the Local Plan 2031 Part 2 Detailed Policies and Additional Sites 2019, which collectively and amongst other matters, requires conservation, and where possible, the enhancement of designated assets in accordance with national guidance and legislation, recognises heritage assets as irreplaceable, that they should be conserved in a manner appropriate to their significance, with great weight being given to their conservation, and the development to be visually attractive in details and materials.

Conclusion

20. For all these reasons given above and having regard to all other matters raised, I conclude that Appeals A and B should be dismissed.

Jonathon Parsons

INSPECTOR