



Appeal Decision

Site visit undertaken on 21 December 2023

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 January 2024

Appeal Ref: APP/W2845/D/23/3316373

Forge House, 7 The Ring, Chacombe OX17 2JJ

- 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 Robert Blake against the decision of West Northamptonshire Council.
 - The application Ref WNS/2022/0754/FUL, dated 1 April 2022 was refused by notice dated 8 December 2022.
 - The development is described as 'Replacement of 14 windows with double glazed, flush fitting, white UVPC (white foil effect) leaded windows at Forge House 7 The Ring Chacombe OX17 2JJ.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the Council's description of the development as noted on the Decision Notice for this Appeal as this more succinctly identifies the elements requiring planning consent. It is noted that this description is also listed on the Appellant's Appeal form.
3. I note that both parties in their appeal documents reference the paragraphs of the National Planning Policy Framework 2021 (the Framework). Since the submission of the appeal, the 2021 version of the Framework has been superseded by the 2023 version. The wording of the paragraphs of the new Framework relevant to this appeal remain unchanged from the 2021 version (except for new paragraph numbers) and therefore did not require to be reassessed by either party in relation to this appeal. I have considered the appeal on this basis and refer only to the updated 2023 Framework within my decision.

Main issue

4. The main issue is the effect of the proposal on the existing building, the surrounding locality, with special attention to whether the proposal would preserve or enhance the character and appearance of the Chacombe Conservation Area (CA).

Reasons

5. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a decision maker to give special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in the determination of a planning application.

6. With regards to undertaking alterations, relevant policies of the South Northamptonshire Local Plan Part 2 (SNLP) Saved Policies SS2, SDP1 are design led policies which seek that developments adhere to a number of principles such as form, massing, designs, materials and detailing amongst others. SNLP policies HE1, HE6 and HE7 as well as Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (WNJCS) are related to understanding the significance of heritage assets, CA's, and Non-designated heritage assets and seek to preserve and enhance significance of heritage assets.
7. The significance of the CA is detailed within the Conservation Area Appraisal 2015 where the settlement dates from Anglo-Saxon times. The settlement contains medieval buildings alongside later seventeenth, eighteenth and nineteenth century developments associated with agricultural prosperity. The pattern and layout of the streets appears unchanged since medieval times with historic dwellings fronting the road edge with the names of existing buildings giving indications of their former historic use. The traditional vernacular of buildings in this locality is local limestone and ironstone with Welsh slate and tile roofing. The appeal site is located within Character Area 1: The Historic Core. In this area key characteristics include the Historic street pattern; Homogeneity of local materials in the older dwellings; Newer development set back within plots; Traditional buildings fronting the edge of the plot; and an Enclosed and intimate character, amongst others. The CA Appraisal notes the appeal site as an 'Other Significant Building'¹ or non-designated heritage asset in accordance with Paragraph 209 of the National Planning Policy Framework (the Framework).
8. The older dwellings in this locality are typically constructed in the local vernacular of stone, and have timber window frames with lead multi-paned windows, with timber doors, and slate rooves. Whilst there are some examples of unsympathetic alterations and materials, the continued use of traditional materials and their relationship to the historic form and function of buildings is also a key component of the significance of the CA.
9. It is noted that the CA Appraisal that the quality of the CA is being eroded, in part, by negative features such as the inappropriate replacement and designs of traditional windows, doors and roofing. The replacement of timber windows with uPVC windows is identified as a particular problem and therefore the CA Appraisal seeks to restore original glazing materials and configurations. An Article 4 Direction is present on unlisted dwellinghouses in order to regulate the appropriate installation of sympathetic features such as windows, etc.
10. Whilst the appeal property has been extended and altered to the rear, externally from the Ring the building maintains a number of architectural elements that are referred to in the CA Appraisal as positive attributes. The appeal property is a historic building which has a significant 7 bay frontage to the Ring. The dwelling is particularly prominent with 3 facades being experienced within the public realm when heading along The Ring to Thorpe Road.
11. Whilst I note comments from the Appellant that they believe the appeal building "is not a Historic building needing to be conserved as such" and that the appellant's do not agree with the findings of the CA Appraisal, I have no

¹ Figure 22- Important Spatial Features in Chacombe Conservation Area.

accompanying evidence in this appeal which would demonstrate the Appellant's concerns around the robustness of the document. The appeal building is a positive historic building which assists in demonstrating the historic origins and associated trades, evolution and construction of the village. It's local use of vernacular is particularly important for understanding the use of traditional materials and reinforcing local character, and the distinctiveness of the area. Whilst the appeal dwelling has been extended to the rear some of which are considered inappropriate and unsympathetic materials and design. Despite this, the appeal building still maintains a positive presence to the street scene and the CA alongside the other historic buildings found along Main Street.

12. The windows to be replaced are timber side-hung casements with single glazed windows with lead glazing bars. These windows would be replaced with uPVC double glazed flush casement windows with imitation lead glazing bars with frames that are 28mm thick.
13. Historic England advises in their guidance² that replacement uPVC windows *"pose one of the greatest threats to the heritage value of historic areas, particularly in towns and villages. Despite attempts at improving the design of these windows they are instantly recognisable because they cannot match the sections and proportions of historic joinery."*
14. I acknowledge that not all the windows to be replaced may be original, however they are of appropriate materials, design and constructional techniques which are authentic and characteristic of the period when the building was constructed. I accept that the design of uPVC replacements has become more sophisticated in recent years, however I do not agree that the use of uPVC replacements would be 'identical' or as authentic as timber windows.
15. Although no detailed plans or cross sections of the proposed windows have been submitted with this Appeal, the quotation which has been submitted showing general dimensions and thicknesses of glazing units at 28mm. The frames and depth of glazing with imitation glazing bars are significantly thicker in section to support the double panes, and as installed the proposed windows at 28mm thick would contain a large gap between the glazing which accentuates the reflectiveness of these uPVC units against the more matt and uneven finish and appearance of a traditionally glazed window. The uPVC windows would also maintain a perfect uniformed and manufactured finish that lacks the finesse and craftsmanship of a traditionally constructed timber window which ages over time. As such, it would be readily apparent that the proposal would be modern uPVC replacements. As such I disagree that the proposed windows would 'significantly enhance the look of the building.' The proposed windows would materially diminish the architectural authenticity of the dwelling and would have an incongruous and harmful effect on the appearance of the CA. Despite this, the appropriateness of a window is not solely related to the visual appearance of a window, but the authenticity of building materials and local vernacular and how this relates to the heritage values of this building as well as the broader significance of the CA.
16. I agree with the appellant that single glazed windows are not as environmentally thermally efficient to today's modern standards, and that in some circumstances double glazed slimline units (as commented by the

² Historic England (September 2017): 'Traditional Windows: Their Care, Repair and Upgrading'

Conservation Officer) or secondary glazing (as commented by the CA Appraisal) can be other methods of achieving appropriate thermal efficiency. However, from reading the Council's Planning Officer Report, the main concern raised in the appeal is regarding the change from timber to uPVC and the resultant thickness of the windows, rather than the change from single to double glazing. I also note comments from the Appellant that the cost of wooden frames is substantially higher than those made of UPVC, have much higher maintenance costs, and have a much shorter lifetime. However, I have not been presented with substantive evidence to suggest that the proposed uPVC windows would significantly outperform well installed and maintained double glazed timber windows which would also meet current building, security and fire safety regulations.

17. I can also appreciate comments made by the Appellant that there is evidence within the village of historic buildings such as part of the old School House with uPVC windows and also on more modern bungalows opposite, although these modern dwellings are not comparable to the Appeal property. With regards to the historic buildings containing uPVC windows, I have not been given details as to why these buildings contain the use of uPVC, which may have also been installed without consent, or potentially before designation of the CA and associated Article 4(2) direction. In any event, the orientation of the appeal property is much more prominent than the properties suggested and the presence of uPVC windows elsewhere in the street is not a strong point in favour of the appeal scheme as the CA Appraisal identifies their presence as a specific problem in which it is trying to resolve.
18. In conclusion of this matter it is clear to me that the proposal would unacceptably harm the appearance of the appeal building, thus failing to preserve the character and appearance of the wider CA. The proposed scheme would therefore conflict with Paragraph 208 of the Framework, SNLP Saved Policies SS2, SDP1, HE1, HE6 and HE7 and WNJCS Policy BN5 as described previously.
19. Although serious, the harm to the heritage asset in this case would be 'less than substantial,' within the meaning of the term in paragraph 208 of the Framework. Paragraph 206 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset requires clear and convincing justification. Paragraph 208 of the Framework requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal. I have also considered Paragraph 209 of the Framework where in relation to non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
20. The Appellant has suggested that the public benefits of the scheme would be that the proposed uPVC windows would look better than the existing windows, and have a better environmental impact than single glazed windows. Additionally, the installation of windows would have economic benefits in the short term employment of labourers. However, these benefits are not unique to this particular scheme, and as discussed, there may be other, more acceptable, ways in which these same public benefits could be achieved which are more appropriate to the development plan.

21. I therefore find that the public benefits arising from the proposed development would not outweigh the harm I have identified. The scheme therefore conflicts with the Framework, which directs, at paragraph 205, 'that great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance.'

Conclusion

22. For the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR