



Appeal Decision

Site visit made on 24 October 2023

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2024

Appeal Ref: APP/Z4718/Y/23/3317726

Moorcroft Cottage, 1 Moorcroft, Pastures Way, Golcar, Huddersfield HD7 4QR

- 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 Mrs Suzanne Ellis against the decision of Kirklees Metropolitan Council.
- The application Ref 2022/65/90894/W, dated 14 March 2022, was refused by notice dated 20 January 2023.
- The works proposed are described as: 'Replacement of windows and doors with UPVC (Heritage range)'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal property, Moorcroft Cottage, forms part of a Grade II listed building¹ referred to on the Statutory List as: 'Moorcroft Farm'
3. The appeal relates to the refusal of listed building consent for works to a listed building. I have therefore had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. I have taken into account the revised National Planning Policy Framework (the Framework) as published on 19 December 2023. Any reference to the Framework below is consequently a reference to this latest revised version.

Main Issue

5. The main issue is whether the proposed works would preserve the Grade II listed building Moorcroft Farm, or any special architectural or historic features which it possesses.

Reasons

Special Interest and Significance

6. Moorcroft Cottage is a mid-terraced dwelling that is understood to have previously formed part of a cottage and former farmhouse with attached outbuildings, and dates to the late eighteenth century. It is faced with hammer dressed stone and includes mullion windows to the front and rear elevations. To the front there are three 3-light mullion windows at first floor with a 4-light window at ground floor and two entrance doors with stone surrounds. The left-

¹ List Entry Number: 1234962

hand doorway includes side lights. The rear elevation comprises of three 3-light mullion windows at first floor, and at ground floor level a 3-light mullion window, a further 3-light mullion window abutting the door surround with a shared stone lintel, and a former doorway comprising of a single casement window and stone walling below. Although I am provided with limited detail in this regard, it is clear that many of the stone mullions have been replaced relatively recently. However, several of the older mullions do survive and are clearly visible internally. Those mullions that have been replaced are not visible as part of the internal elevation of the window, with the underside of the external mullion being obscured by a timber board, flush with the internal face of the window frame.

7. There is little information before me with regard to the significance of the listed building. Nonetheless, I find the significance to primarily be associated with its architectural and historic interest as an illustration of an attached group of eighteenth-century buildings that have developed over time within an agricultural context. Important contributors in these regards, which are pertinent to the appeal, are the surviving historic fabric and the traditional materials and construction techniques that are typical of the local vernacular, including the prevalence of stone surrounds and mullion windows.
8. The listed building's fenestration is a key feature of its architectural style and appearance. The windows are typically side hung timber framed casements with central fixed lights, whilst the existing doors are attractively detailed plank and batten doors with vertical fillets. Although these existing windows and doors are not historic, they are of reasonably authentic proportions and style with similarly authentic opening mechanisms and fittings, despite their 'storm proof' lipped design and presence of trickle vents on some of the rear casements. They are also constructed of traditional materials and are set back within their openings. In this regard they are compatible with the existing stone mullioned window openings and door surrounds and are reflective of the character and age of the existing building. Moreover, they are important components of the building which, although of no historic value, contribute in a positive way to the listed building's architectural merit.

Proposal and Effects

9. The proposal would involve the replacement of all windows with 'A+5' Energy rated PVCu Flush Heritage Range Sash Windows by Gardinia Windows. The PVCu frames would be coloured French Gray externally and white internally and would have a textured woodgrain effect.
10. There are no existing drawings provided as part of the appeal, which limits the ability to undertake a meaningful assessment. However, based on my impressions on site, the proposed window frames would be noticeably thicker than the existing timber frames. The example window on the proposed drawings shows projecting head and cills. The elevation drawings appear to show the cill detail however it is unclear if the projecting heads are proposed. Nonetheless, these are not characteristic features of windows set within stone surrounds, are not present as part of the existing windows and would add to the bulkier appearance of the frames.
11. Furthermore, the example window and the drawings show that the pattern of opening and fixed lights that exists at present would be repeated. However, the

fixed lights would still be set into outer frames. This would further add to the bulkiness and thickness of the window frames described above.

12. The appellant comments that the PVCu windows are very similar to timber and that the proposed windows would not detract as they are wood grain effect. However, as can be seen on the proposed plans and example window detail, the appearance and constructional techniques of the proposed windows is noticeably different to traditional timber windows. PVCu windows, such as those proposed, typically maintain a perfect uniformed and manufactured finish. The woodgrain effect and timber effect joints lack the finesse and craftsmanship of a traditionally constructed painted timber window that ages over time.
13. I have not been provided with details of the opening mechanism or of any ironmongery. However, the Council states that this range incorporates friction hinges as standard, a modern treatment which is easily recognisable as such and does not reflect the butt hinges and window stays of traditional casement windows, particularly when open.
14. I am therefore not convinced that the proposed windows would be compatible with the historic and architectural integrity of the listed building and, having regard to above, it would be readily apparent that they were modern PVCu replacements. This would compromise the architectural integrity of the building and impair its historic legibility and authenticity.
15. I have been provided with a standard cross section of a window but not a drawing showing the position of the windows in the openings. I note the example window shown on the proposed drawings sits almost flush with the face of the external masonry. I therefore cannot be certain of their exact position within the opening or that the windows would have the same relationship with the stone mullions as at present. This adds to my concerns.
16. The Council states that the submitted section detail shows double-glazed units with a 16 millimetres gap. The existing silver spacer strip is evident as part of the existing double glazed windows, and the glass is noticeably thicker than single glazing. However, as I do not have an existing section drawing at an appropriate scale or precise details of the depth of the existing panes, this limits my ability to undertake a meaningful comparison that would allow me to conclude that the glazing thickness proposed was acceptable.
17. The three existing timber plank and batten doors would be replaced with Engineered PVCu doors in Oak wood effect. However, as with the proposed windows, PVCu engineered doors maintain their uniform and manufactured appearance over time and are readily distinguishable from a traditional timber door. Despite the woodgrain effect, the proposed doors would lack the refinement and craftsmanship that is present in the existing doors or other traditionally constructed timber doors.
18. I have not been provided with a section drawing of the proposed doors. However, based on the drawings and my observations on site, the proposed French Grey woodgrain effect frames would be notably thicker than the existing timber frames. Moreover, the relative thickness of the frames would be emphasised by their contrasting colour. Overall, it would be readily apparent that the door was a modern replacement and not an authentic timber door, to the detriment of its architectural integrity and historic legibility.

19. Furthermore, the proposed door is not a plank and batten style door, as exists, but appears to be a nine panelled door with a glazed central panel. The reason for this change in style has not been provided within the supporting information, however, the proposed style of door has less authenticity in an eighteenth-century dwelling and worsens the effect on the historic legibility of the building.
20. The appellant highlights problems with the windows and doors swelling and sticking during the winter as well as a concern over woodworm. However, no detailed condition survey of the windows or doors has been submitted. Consequently, I cannot be certain that these existing problems could be addressed through treatment or repair by an experienced tradesperson, which may resolve some of the appellant's concerns and the desire for replacement.
21. The appellant states that PVCu windows have been approved elsewhere outside of the local authority area. Notwithstanding that no corroborative evidence has been supplied to support that assertion, the acceptance of other PVCu windows by a different local planning authority in a different building does not justify an approval in this particular listed building in this specific context.
22. For all of the above reasons, I am not persuaded that the proposed windows and doors would 'not detract from the listed building', as is argued by the appellant. Although I do not doubt their assertion that, in themselves, the proposed windows and doors are of a high quality, the changes to the appearance of the listed building as a result of the proposal would nonetheless weaken the architectural integrity of the listed building and detrimentally undermine its heritage merit. As such, the proposal would not conserve this designated heritage asset in a manner appropriate to its significance.
23. On this basis, the proposed windows and doors would fail to preserve the Grade II listed building of Moorcroft Farm or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of section 16(2) of the Act. For the same reasons the proposal would cause harm to the significance of this designated heritage asset.

Public Benefits and Balance

24. With reference to Paragraphs 207 and 208 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Having regard to the scale and extent of the proposed works, I find that the harm in this instance is less than substantial in terms of the Framework but, nevertheless, of considerable importance and weight. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
25. The appellant refers to upgrading the security of the property and improving thermal efficiency. I sympathise with the appellant and their concerns particularly with regard to the recent problems with security. However, I have not been presented with substantive evidence to suggest that the proposed PVCu windows would significantly outperform well-installed and maintained double-glazed timber windows in terms of security or thermal efficiency. Moreover, there is nothing before me to suggest that robust and well-maintained timber doors could not perform similarly to PVCu doors with regard

to security and thermal efficiency. Therefore, whilst improved security and thermal efficiency could constitute public benefits, I am not persuaded that similar benefits could not be achieved by a proposal that would be less harmful to the significance of the designated heritage asset. This limits the weight I can attribute to these benefits.

26. Furthermore, no compelling evidence is before me which confirms that the optimum viable use of the building would be at risk if I were to dismiss the appeal. In these respects, the identified harm to the significance of the listed building has not been adequately justified. Therefore, the limited public benefits do not outweigh the considerable importance and weight that even less than substantial harm to a designated heritage asset carries.
27. The works would not preserve the Grade II listed building of Moorcroft Farm or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of section 16(2) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.
28. Listed building appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004. Consequently, they do not need to be determined in accordance with the development plan, although relevant provisions can nevertheless be material considerations. In this respect, I note that the proposal would conflict with policy LP35 of the Kirklees Local Plan (2019) which seeks to conserve and enhance heritage assets and safeguard the historic environment and local distinctiveness.

Other Matters

29. The appellant has said that they have sought to apply to get their property de-listed. However, for the avoidance of doubt, I have considered the appeal on the basis that it is a listed building and assessed the proposal against the current legislative and policy context.

Conclusion

30. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR