



Appeal Decision

Site visit made on 4 June 2024

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 9 July 2024

Appeal Ref: APP/N1540/Y/23/3330466

Potter Street Baptist Church, Harlow, Essex CM17 9AW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mrs Marian Hollingsworth and the Potter Street Baptist Church against the decision of Harlow Council.
 - The application reference is HW/LBC/22/00528.
 - The works proposed are the replacement of 4 lower-level windows with like for like replacements.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description provided on the application form contained an unnecessary amount of descriptive text. I have, therefore, used the description of the works provided on the decision notice in the banner heading, as this defines the works more clearly. The address provided on the application form was imprecise and so have used the address on the decision letter for clarity in identifying the site.
3. As the proposal relates to a listed building I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

Main Issue

4. The main issue is whether the proposal would preserve a Grade II listed building, known as "Baptist Chapel" (Ref: 1111657) (the LB), and any of the features of special architectural or historic interest that it possesses.

Reasons

5. The LB dates from 1756 and is a two-storey chapel constructed in red brick. It has a slated, ridged roof with an obtuse pitch, gabled to the front and hipped to the rear. To the rear it has a later, single-storey wrap-around extension with a flat roof, also of red brick.
6. On the front elevation lie a pair of doors comprising six fielded panels located centrally in a wide case with scrolled brackets to the broken swan-necked cornices which have swags emerging. This is flanked by a pair of small-paned hornless sashes of twelve panes under straight gauged arches with a stone sill-band. Above, on the first floor, under matching arches are three four-paned hornless sashes. The gable is adorned with a Diocletian recess. Where historic

fabric is not covered by the wrap-around extension the pattern and design of fenestration is similar, albeit that the rearmost windows on the upper level have six panes, rather than four and the two on the rear face lie under semi-circular arches.

7. Given the above, I find that the special interest of the LB, insofar as it relates to this appeal, to be primarily associated with its pleasing appearance as an example of a place of worship of the period and the authenticity of its retained detailing. The windows are prominent features of the building, contributing positively to the special interest.
8. The proposal would replace the existing ground floor windows on a "like for like" basis. However, there is little evidence before me specifying the detailing of the replacements. Further, whilst the appellants claim that the windows were installed in the early 1950s, this has not been substantiated by any evidence.
9. The appellants assert that the windows are in a state of disrepair, making them difficult, or impossible, to open and during my site visit I observed that paint on the windows was flaking and cracking. Where timber had become exposed, I was also able to observe that some of the underlying timber had rotted. Similarly, it was apparent that parts of the glazing putty had been replaced, often with poor-quality repairs. The appellants tell me, in their statement, that the windows are poorly fitting and cause draughts, leading to a loss of heat and making the building unwelcoming and increasing the cost of heating the LB.
10. The appellants also identify that, some years ago, the LB was broken into, and I observed some security measures had been added to the existing windows.
11. I have limited information before me regarding the recent history of the LB, or the state of repair of the windows. In the absence of a detailed dilapidation report, it has not been demonstrated to me that repair is not a practical alternative, and that the complete replacement of the windows is consequently required.
12. Given the above, I find that the proposal would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
13. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
14. Given the scope of the works, I find the harm to be less than substantial in this instance. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
15. The appellants are of the opinion that the proposal would be beneficial because it would improve the thermal efficiency of the windows and reduce the LB's energy consumption. I give significant weight to the need to support energy efficiency as required by paragraph 164 of the Framework. However, I am mindful that replacement of the windows is not the only means of increasing

the thermal efficiency and that this would also be achieved through suitable repairs by a specialist window contractor and regular maintenance.

16. There would be further benefits arising from making the LB more secure. However, I give modest weight to the improvement to security of the LB because it has not been demonstrated that the proposals are the only means of improving security and that similar benefits may not be achieved during repairs. These are public benefits that provide support to the proposal.
17. Although paragraph 164 of the Framework requires significant weight to be given, irrespective of any energy efficiency improvement and the scale of any associated carbon reduction, it does not disapply those parts of the Framework set out above or the need to give any resulting heritage harm great weight in the public benefit balance.
18. I do not find that the public benefits are sufficient to outweigh the harm that I have identified in this instance. I also note that the continued viable use of the appeal property as a place of worship is not dependent on the proposal as the building has an ongoing religious use that would not cease in its absence.
19. Given the above and in the absence of public benefits that would outweigh the harm that would be caused, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building.
20. This would fail to satisfy the requirements of the Act, paragraph 206 of the Framework and be inconsistent with PL1, PL12 and WE5 of the Harlow Local Development Plan (2020), insofar as relevant. These seek, among other things, to ensure that heritage assets within the district are conserved or enhanced, having regard to the design quality of the development and the extent to which it safeguards and harmonises with the period, style, materials and detailing of the asset, including distinctive features.

Conclusion

21. Given the above and considering all other matters raised, the appeal should be dismissed.

I A Dyer

INSPECTOR