



Appeal Decisions

Site visit made on 17 July 2024

by H Butcher BSc(Hons) MSc PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th July 2024

Appeal A Ref: APP/C3105/W/23/3331379

West End Farmhouse, 56 West End, Launton, Bicester OX26 5DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Carina Collins against the decision of Cherwell District Council.
 - The application Ref is 23/01667/F.
 - The development proposed is the replacement of existing defective windows with new heritage windows.
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Appeal B Ref: APP/C3105/Y/23/3331378

West End Farmhouse, 56 West End, Launton, Bicester OX26 5DG

- 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 Ms Carina Collins against the decision of Cherwell District Council.
 - The application Ref is 23/01668/LB.
 - The works proposed are the replacement of existing defective windows with new heritage windows.
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Decisions

Appeal A

1. The appeal is dismissed insofar as it relates to windows FW01, FW02, FW03, and GW03. The appeal is allowed and planning permission granted insofar as it relates to doors and windows GD00, GW01, GW02, GW04, GW05, GW06, GW07, GW08, GW09, GW10 at West End Farmhouse, 56 West End, Bicester OX26 5DG in accordance with the terms of the application, Ref 23/01667/F, dated 16 June 2023, so far as relevant to that part of the development hereby permitted, and subject to the conditions in the attached Schedule A.

Appeal B

2. The appeal is dismissed insofar as it relates to windows FW01, FW02, FW03, and GW03. The appeal is allowed and listed building consent is granted insofar as it relates to doors and windows GD00, GW01, GW02, GW04, GW05, GW06, GW07, GW08, GW09, GW10 at West End Farmhouse, 56 West End, Bicester OX26 5DG in accordance with the terms of the application, Ref 23/01667/LB, and the plans submitted with it, so far as relevant to that part of the works hereby permitted and subject to the conditions in the attached Schedule B.

Preliminary Matter

3. Although not stated in the description of development given on the application form the proposed works include a replacement front door.

Main Issue

4. The main issue is whether the proposed works would preserve the special architectural and historic interest of West End Farmhouse which is a Grade II Listed building (Ref 1232919).

Reasons

5. West End Farmhouse dates from the early or mid-18th-century and was probably built as a pair of farm cottages. Much of its architectural and historic interest relates to the survival of its original structure such as the coursed rubblestone walling, timber lintels and some elements of the internal timber frame, and the clasped purlin roof structure.
6. It also has historic and architectural interest insofar as it has group value with other Grade II listed buildings along West End including the adjacent Freeman House (Ref 1232917) and the (former) Black Bull Public House (Ref 1232916). They share a group aesthetic being similarly constructed of limestone rubble with wooden lintels.
7. More specifically in respect of this appeal, the façade of West End Farmhouse has six windows, three at first floor (FW01, FW02 and FW03) and three at ground floor (GW01, GW02, GW03). They are all, broadly speaking, two light, timber frame windows, with one light an opening casement and the other fixed. They have been variously repaired, for example FW01 and FW02 have an opening casement dating from the 20th-century but an earlier fixed casement with historic glass. FW03 and GW03 which are first floor and ground floor windows on the far north-east side of the front façade are even more complete historically, dating from the late 19th-century and with the majority of glass panes containing historic glass, albeit some panes have been replaced. GW01 contains no historic glass and appears largely 20th-century based on the evidence before me. GW02 is a completely new insertion circa 1980. To the rear, also in contention, is GW06 which again, on the evidence before me, is a more recent 20th-century window.
8. Traditional windows and glazing in older buildings often make an important contribution to heritage interest. Historic glass, in particular, has a distinctive appearance. What remains of the more historic window frames and glazing in the façade of West End Farmhouse is aesthetically distinctive. The undulations and imperfections in the glass can be appreciated both up close and from afar as the light catches it. The remaining more historic elements of the windows in the front façade are therefore of such an age and sufficiently intact to contribute to the historic and architectural interest of the building.
9. The proposal is to replace all existing windows on all elevations, including the six on the front elevation. The proposed replacement windows are to be heritage-white spray-painted timber of traditional flush casement design and would match the existing windows on a 'like-for-like' basis. The windows are to be glazed using LandVac vacuum insulated glass which would appear as a single pane of glass with micro dots.

10. The windows proposed would be of a high quality and would not be constructed using fake glazing bars. On the face of it they would be a good match. However, the uniform appearance of modern glazing would not replicate the appearance of the historic glass described above which would be completely lost along with the more historic timber window frames.
11. The proposed works would therefore result in the loss of historic window fabric in the front façade of the building which would cause harm to the special architectural and historic interest of the property. Consequently, the proposed works would conflict with Policies ESD15 of the Cherwell Local Plan 2011 – 2031 and C28 of the Cherwell Local Plan 1996 which seek to protect the character of the built and historic environment.
12. This heritage harm engages the presumption against development because of the great weight to be given to a heritage asset's conservation. In the terms of the National Planning Policy Framework paragraph 208 this harm would be 'less than substantial' as it would affect only a specific element of the listed building. Nevertheless, this harm should still be given considerable importance and weight. Where 'less than substantial' harm is found this should be weighed against the public benefits of the proposal including, where appropriate, its optimum viable use.
13. The proposal would produce a coherent and homogenised appearance to the front elevation of the building, but this would be at the cost of the current surviving historic fenestration. The existing façade is a mix of windows currently therefore, I find a case-by-case basis may be suitable in this instance when considering window replacement and repair. Removing old paint and repairing frames might result in damage or breakage of historic glass but that is not sufficient reason to not even attempt such an approach by an expert in this field. Surviving fenestration such as this is an irreplaceable resource which should be conserved and repaired wherever possible.
14. Whilst the existing historic windows may result in heat loss from the property this can be improved by other measures including draught proofing or secondary glazing. Further benefits can be gained with thick curtains and blinds which can produce similar heat savings to double glazing, whether the appellant chooses such options or not.
15. I am not satisfied that the historic windows in the front façade are beyond economic repair nor that they could not be repaired to such a level as to protect the fabric of the wider building. The quote from The Oxford Window Repair Company states that repair would bring the windows back to an excellent standard, increase energy efficiency, and prolong their life for many years. It is also notable that the timber frames of the 19th-century windows are in a better condition than the 1980s window in the front façade. Therefore, repair of historic windows is preferable as the durability of the timber is often much better than modern replacements. There is also the whole-life environmental cost of replacement windows to consider.
16. Whilst the windows in the front façade have not been specifically noted in the updated list description and may not be the 'main architectural interest' of the property in the view of Historic England that does not mean it is the only architecturally significant part of the property. Furthermore, architectural significance does not need to be related to a single period and the historic layering of a building can be significant insofar as it exemplifies past change.

17. Noting some scratches to the historic glass, overall, I find that the public benefits put forward in this case do not outweigh the heritage harm.

Conclusion

18. I have found harm in respect of the loss of historic windows in the front elevation namely windows FW01, FW02, FW03, and GW03. The proposal, however, includes the replacement of other more modern windows in the front, side and rear elevations which the Council raise no objection to in principle. I also find no harm with respect to the replacement of windows GW01 and GW06 for the reasons given above. The appellant requests consideration of a split decision. Given the respective parts of the appeal are clearly severable both physically and functionally the appeal is allowed in part and dismissed in part.
19. In addition to the standard time limit condition I have attached a plans condition to Appeal A for certainty in respect of the relevant allowed elements of the proposals. It is also necessary to include a condition specifying detailed replacement window plans to secure an acceptable finish as these plans are not before me.

H Butcher INSPECTOR

Schedule A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Site Plan, 6336.01, 6336.03 insofar as it relates to windows and doors GD00, GW01, GW02, GW04, GW05, GW06, GW07, GW08, GW09, GW10.
- 3) Prior to the installation of the doors and windows hereby approved full details at a scale of 1:20 including a cross section, cill, lintel and recess detail, and colour/finish shall be submitted to and approved in writing by the Local Planning Authority. The doors and windows shall be installed in accordance with the approved details.

Schedule B

- 1) The works authorised by this consent shall commence not later than three years from the date of this consent.
- 2) Prior to the installation of the doors and windows hereby approved full details at a scale of 1:20 including a cross section, cill, lintel and recess detail, and colour/finish shall be submitted to and approved in writing by the Local Planning Authority. The doors and windows shall be installed in accordance with the approved details.