



Appeal Decisions

Site visit made on 10 December 2024

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 20 December 2024

Appeal A Ref: APP/W0340/W/24/3350700

4b Lion Mews, Newbury Street, Lambourn, Hungerford, RG17 8YY

- 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 Lorna McGowan against the decision of West Berkshire District Council.
 - The application Ref is 23/02614/FUL.
 - The development proposed is replacement windows.
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Appeal B Ref: APP/W0340/Y/24/3349867

4b Lion Mews, Newbury Street, Lambourn, Hungerford, RG17 8YY

- 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 Lorna McGowan against the decision of West Berkshire District Council.
 - The application Ref is 23/02615/LBC.
 - The works proposed are replacement windows.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. I have used the description of the proposal that the Council used on its decision notices, as this is more succinct than the descriptions entered on the application forms.
3. The appeals relate to the same works under different legislation. I have dealt with both appeals together in my reasoning.
4. The appeal relates to the replacement of four windows at the rear of the listed building. The windows have been replaced already, and no evidence has been provided to show what they replaced. Given their style it is likely that the side window was a side hung timber casement that matched the other two windows above, and those at the rear were traditional timber sash windows that matched the other timber sash windows at the rear of the building. I am satisfied that it is reasonable for me to make a direct comparison between the replacement windows and the building's other windows, and I will assess the proposal on this basis.
5. The Council is in the process of updating its Local Plan. This would appear to be at an advanced stage and the emerging Policies therefore attract reasonable weight.

6. On 12 December 2024, during the appeal process, the Government published its revised National Planning Policy Framework (Framework). The content of the Framework relative to the main issues of the appeal is largely unchanged. It has not therefore been necessary for me to give the main parties opportunity to comment on the revisions. I shall determine the appeal with reference to the revised Framework.

Main Issues

7. The main issues are the effect of the works upon the significance of the grade II listed building known as The Red Lion Hotel¹, and whether they would preserve or enhance the character or appearance of the Lambourn Conservation Area.

Reasons

8. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) require the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
9. The Red Lion Hotel is a substantial former hotel that occupies a prominent corner plot and dates from the 18th century. Its significance derives from its well composed elevations that are constructed in traditional materials and retain a high proportion of historic fabric. In contrast to its formal front elevations, it has a much more modest appearance at the rear. Rear facing walls have a simpler rubble stone or render finish and elevations appear less planned. Although less significant than the building's fine front elevations, the modest and functional form of these rear aspects of the building as well as the use of simpler materials holds some significance. They contribute to the broader historic integrity of the building, illustrating how it evolved and functioned.
10. The building stands within the Lambourn Conservation Area (LCA). The LCA centres on the historic core of the settlement. Many buildings are densely packed along the edge of the main routes through the village. These contrast with the open and spacious character of Market Place with its Market Cross and the leafy environs of the Church to one side. The appeal building faces Market Place. It is highly prominent in this core area of the LCA, and its traditional materials and appearance make it a significant contributor to the LCA's character and appearance.
11. The replacement windows stand out as inappropriate additions to the building. The mock sash windows utilise a top hinged arrangement to the upper part, which fails to replicate the vertical sliding sash arrangement of the adjacent windows. They appear clumsy with a very thick horizontal element where the neat, square edged meeting rail of a sash window should be. Mock horns sit in the bottom corners of the opening part, despite this not being a detail of the existing sash windows. Glazing bars are overly wide, and owing to their

¹ List Entry Number: 1113699

surface mounted arrangement one has already dropped out of place on the low level window, giving it a low quality appearance.

12. The mock sash windows are divided into smaller panes with a compressed horizontal emphasis, being wider than they are tall. This further adds to the inappropriate design of the windows, and gives them a squat appearance when viewed alongside the adjacent windows with their traditional and elegant vertical emphasis.
13. The side window is balanced in that the two casements are equally sized and the proportion of the window is generally appropriate; however, its casements sit proud of the frame and thus fail to replicate the traditional flush fitting design of the windows above.
14. Overall, the glossy finish of all the windows appears harsh alongside the softer appearance of painted timber. Added to this is the impact of the bland reflection of modern glazing and the prominent black spacers for the sealed units.
15. The windows erode the integrity of the building and have a harmful impact on its appearance at the rear, where the windows are seen in direct relationship with high quality historic sash windows. The windows are fitted to a less important rear aspect of the building. However, I have identified that this element of the building is not without significance. Although similar replacements at the front would be much more harmful, a considerable level of harm arises from these replacements for the reasons given.
16. As to their impact on the LCA, from the adjacent car park the windows can be seen in context with the Church and other historic windows that surround Market Place. This is a core area of significance to the character and appearance of the LCA. Although the windows do not face Market Place, such secondary and incidental views hold value. In these views the poor proportion of the windows and their clumsy detailing can be seen in context with a range of finely detailed traditional windows, and they thus look out of place and cause a modest degree of harm.
17. The windows were replaced before the appellant took ownership of the building, and the appellant was not made aware that the change was unauthorised. Furthermore, replacing the windows will incur considerable cost. This is an unfortunate situation, and one that has no doubt caused the appellant considerable stress and worry. However, it is clear that listed building consent should have been obtained for the work and this is a serious matter; historic buildings are a finite resource, and it would not be appropriate to lessen the requirement for consent or take a more lenient view because the building has changed hands or costs will be incurred to rectify the works.
18. In terms of the Framework, the harms would be less than substantial but would nevertheless be of considerable importance and weight. Paragraph 215 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
19. The previous windows are reported to have been in poor condition. They provided inadequate security and limited ventilation. It is suggested that the dwelling suffered from inadequate security, limited ventilation, dampness, build-up of mould, and damage to fabric. These are matters of concern, and if

left unaddressed could cause the fabric of the building to deteriorate which would not be good for its future conservation.

20. However, the extent to which the previous windows contributed to these matters is unclear. Matters of dampness are far more likely to relate to the low level of the ground floor than the condition of the windows, although the windows may have contributed to such issues. Repaired or appropriate timber replacement windows are capable of performing equally well to the existing windows and would easily be able to offer security to the building's occupants as well as means to securely ventilate the building's interior. A well-constructed new timber window or a repaired historic window that incorporates a secondary glazing system can offer equivalent energy performance to a modern PVC window.
21. These matters therefore carry little weight. Paragraph 212 of the Framework states that great weight should be given to the conservation of a heritage asset. The public benefits would not be sufficient to outweigh the level of harm identified.
22. In summary, the replacement windows fail to meet the requirements of the LBCA as they harm the special interest of the listed building and fail to preserve the character or appearance of the LCA. The works also fail to accord with Policies CS14 and CS19 of the West Berkshire Core Strategy (2006-2026) Development Plan Document and Emerging Policies SP7 and SP9 of the West Berkshire Local Plan Review 2022-2039. Together these Policies seek to ensure that development is high quality and conserves the historic environment.

Other Matters

23. The appeal building is within the North Wessex Downs National Landscape. The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Paragraph 189 of the Framework establishes that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes. The proposal only impacts upon the built-up area of the settlement and does not introduce additional built form. I am satisfied that it does not harm the landscape and scenic beauty of the National Landscape.

Conclusion

24. For the reasons above, the appeals should be dismissed.

A Tucker

INSPECTOR