



Appeal Decision

Site visit made on 11 February 2025

by Helen Hockenhull BA (Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 February 2025

Appeal Ref: APP/V4250/Y/24/3348993

Ena Mill, Flapper Fold Lane, Atherton, M46 0HB

- 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 Mr Norman Latham, Ena Mill Retail Ltd against the decision of Wigan Metropolitan Borough Council.
 - The application Ref is A/24/96944/LB.
 - The works proposed are replacement timber windows to upvc.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal relates to a Listed Building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act).
3. In December 2024, after the submission of the appeal, a revised National Planning Policy Framework (the Framework) was published. The guidance in the document in respect of heritage matters is unchanged. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party has been prejudiced by my approach.

Main Issues

4. The main issue is whether the proposal would preserve the Grade II listed Ena Mill (Ref:1253159) or any features of special architectural or historic interest that it possesses.

Reasons

5. The appeal building, Ena Mill, forms a Grade II listed building located west of Flapper Fold Lane, close to Atherton town centre. This former cotton mill has been converted on the ground floor to retail use.
6. The appeal proposes the replacement of the majority of the timber framed windows to the main mill building with upvc framed double glazed windows.
7. The five-storey mill, dates from 1908 and is constructed in red brick with buff terracotta dressings, iron girders and concrete floors. There is a two-storey carding room which projects to the south, an external engine room, adjoining boiler house and stack to the south east. The building is laid out in nine bays with three windows per bay, each bay divided by pilaster buttresses. The Mill's significance,

as far as it relates to this appeal, derives from the buildings architectural interest and that it forms a good complete example of a late Edwardian mill.

8. The windows in the Mill are timber, and relatively plain with little ornament. Windows to the north and south elevations are of three lights over 2 lights and 2 lights. Ground floor windows are square. East and west elevation windows are much larger and have 9 lights.
9. I observed on my site visit that the existing windows are single glazed in differing states of repair. The appellant has provided a window condition report which outlines that over 75% of the windows are original. Ground floor windows have all been replaced with timber and are in a fair condition. Others in the upper floors appear in a very poor condition. There are few openings in the windows, and I understand that where openings are evident many are the result of new openings being created to allow ventilation.
10. The replacement upvc windows would be in the same form and pattern as the existing with mainly 3 lights over 2/2 lights. I understand that around 400 windows would be replaced on all floors in the main mill building and stair tower. The windows to the former engine room would be unaffected.
11. The proposed replacement windows in upvc, would not be sympathetic to the special interest of the listed Mill. I acknowledge the intention to replicate the pattern of fenestration. Whilst it is proposed to use slim lite double glazing the dimensions of the replacement frames would be slightly different. These may not be evident in the upper floors due to their height but would be more noticeable in the lower parts of the building. The traditional timber windows in the mill make a significant contribution to its character. The introduction of upvc replacements, on the scale proposed, would introduce a modern material which would cause harm to the architectural and aesthetic interest, and therefore significance of the Mill. Accordingly, the appeal proposal would fail to preserve the Grade II listed building.
12. Paragraph 212 of the Framework advises that when considering potential impacts of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to say that significance can be harmed or lost through the alteration or destruction of those assets and that this should have a clear and convincing justification.
13. I consider that in this case, the harm is less than substantial but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises such harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimal viable use.
14. I recognise that upvc windows have the advantage of lower maintenance. They can also have benefits in terms of thermal efficiency and insulation, though this can also be achieved with timber windows. The appellant suggests that replacement upvc windows would help to protect internal timber floors and other historic fabric in the building. However, the windows themselves are historic fabric and should, where possible, be preserved.
15. I understand that planning permission for 44 residential units was granted in 2016 and this has been partially implemented. The appellant suggests that the replacement windows, particularly with opening lights are required if the building is to be converted to residential use. It is submitted that the cost of replacing the

windows forms a barrier to the project. However, I note that the third and fourth floors of the building gained planning permission in 2024 for B8 storage use. It is therefore unclear whether residential conversion is still proposed.

16. I appreciate the importance of securing the long-term sustainability of the Mill and keeping it in a viable use. The conversion of the upper floors will bring economic benefits through employment opportunities and investment in the area. However, upvc windows are not necessarily required to achieve this. I recognise that replacing the considerable number of windows in the building will be costly. The cost estimate submitted by the appellant bears this out. I am not persuaded that all the windows need to be replaced. It is clear that some are in a better condition than others and may be able to be repaired rather than replaced. The appellant intimates that unless the windows are replaced and the use of the upper floors secured, the viability of the Mill as a whole may be in doubt. However, I have no evidence to support this assertion.
17. The appellant suggests that the cost savings of installing replacement upvc windows can be fed back into other areas of maintenance of the Mill and also in providing affordable residential units. It is unclear whether this refers to low-cost market housing or to affordable housing as defined in the glossary to the Framework. Either way, in light of the planning permission for change of use to storage, the residential conversion is in doubt.
18. Overall, I conclude that the public benefits do not outweigh the less than substantial harm to the heritage asset. The proposal would therefore fail to comply with the Act, the objectives of the Framework, Policy CP11 of the Wigan Local Plan Core Strategy and Places for Everyone Policy JP-P2. These policies seek to enhance and conserve the historic environment.

Other Matters

19. The appellant has brought my attention to a number of other listed Mill buildings where permission has been granted for replacement upvc windows. However, I do not have the full details of these schemes, for example the nature of the existing windows, the number of original windows remaining and their condition. I accept that in some circumstances non timber windows may be justified, however that is not the case here. Each proposal must be determined on its individual merits.

Conclusion

20. For the reasons given and having had regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR