



Appeal Decision

Hearing held on 16 September 2025

Site visit made on 16 September 2025

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 8th October 2025

Appeal Ref: APP/M2840/Y/25/3365047

**United Reformed Church, Fox Street, Rothwell, North Northamptonshire
NN14 6AN**

- 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 Tim Foster against the decision of North Northamptonshire Council.
 - The application Ref is NK/2025/0117.
 - The works proposed are to replace 11 no. ground floor wood frame single pane windows with double glazed windows.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for an award of costs was made by Mr Tim Foster against North Northamptonshire District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. In the banner heading above, I have used the description of the works given in the appellant's appeal form as this is a more accurate description than that given in the application form. At the hearing, the letter of notification relating to the hearing arrangements could not be produced by the Council, and there was discussion as to whether this had been sent out. As the first appeal notification letter had been issued and both parties were present at the hearing, and as I was not made aware of any other parties wishing to participate, I was satisfied that no individuals would be prejudiced should it be concluded that the second letter of notification had not been issued.
4. A photograph identifying one of the windows proposed to be changed in the appellant's submission indicated the blocking up of a doorway. As this was not mentioned in the description of the proposed works and no further details were provided, it was agreed with the appellant at the hearing that changes to this doorway were not part of the proposal before me. I have therefore not considered it in my decision.
5. I have a statutory duty under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) 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. The National Planning Policy Framework (the

Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

6. A recent Inspector's decision relating to this property determined several appeals, including the conversion of the building to a dwelling and other works including repairs to windows¹. These decisions are material considerations. The appellant advised at the hearing that a Section 32 Notice had been served on the Secretary of State under the Act requesting the compulsory purchase of the property following the failure to secure the necessary permissions to convert the property to a dwelling. This matter is ongoing, and whilst it highlights uncertainty regarding the building's future, I see little reason why it should have a bearing on my decision.

Main Issue

7. The main issue is the effect of the proposed works on the special architectural and historic interest of a Grade II* listed building, and whether its significance as a heritage asset would be preserved.

Reasons

8. The Former Rothwell United Reformed Church is a Grade II* listed building (Ref.1213989) and in accordance with paragraph 213 of the Framework is of the highest significance. The list description mentions that the former congregational church dates from 1735 and is on the site of a much earlier centre of non-conformity. The building is an ornate and elegant structure, mainly constructed in ironstone with stone dressings, with several later alterations and additions. In relation to this appeal, the building's significance is mainly derived from its age, function, and architectural detailing, including the varied window styles. The phases of development and related detailing reflect the functions of the spaces and the evolving needs of the church.
9. The appeal mainly relates to later parts of the building, which are believed to have functioned as a meeting room, a choir vestry and minister's vestry. These are more utilitarian, functional spaces with simpler detailing in contrast to the main congregational space. Nevertheless, these parts of the building, in their form, materials and detailing, are well-considered and contribute to its overall significance.
10. The windows proposed to be replaced are of several designs. Most are tall and narrow, and divided into smaller panes with an arched head. Of these, the windows on the north elevation appeared to be older with pegged frames and inward-opening hopper windows with ratchet openers. Those on the gable elevation were similar but appeared to lack a finesse to their detailing and, together with the absence of hopper openings, suggested that these had been replaced more recently, although mainly replicating the overall sections. A further tall window had a metal frame but reflected the same overall design. The proposal also relates to two vertically sliding sash windows which appeared to reflect period details. The windows appeared to be single glazed with putty fixing. It was agreed at the hearing that all the affected windows, although perhaps not all original to this part of the building, exhibited a design and sections which largely reflected the original joinery details.

¹ APP/M2840/W/24/3358198.

11. Windows are often among the most prominent features and an integral part of the design of an historic building and can be indicators of when a building was constructed and its function. In this appeal, the windows subject to this proposal appear important to the aesthetic, evidential and historic value of the building and contribute to its special interest and significance. It is therefore important that repairs or replacements follow as carefully as possible the historic details.
12. The Council originally required a condition survey of the affected windows and suggested that consideration should be given to their retention and repair. At the hearing, the Council explained that their main priority was now to secure replacement windows which reflected the original designs. Having considered the evidence before me and looked at the windows on site, and their condition, it was not immediately apparent to me that all the windows were beyond reasonable repair. In particular, the windows with the pegged frames and the vertically sliding sash windows exhibited some failing sections, especially to sills and more exposed parts, but generally appeared sound. Therefore, in the absence of a specialist condition survey, and having regard to my statutory duty, I am not satisfied that there would be no unnecessary loss of historic fabric arising from the proposal.
13. The proposed double-glazed window details submitted with the appeal comprise an elevation drawing of the tall, arched-headed window and several section drawings. These are notably different in design to the existing windows with the elevation drawing including an outward-opening light and different pane proportions/design. It also shows different types of glazing to the upper and lower part and an external trickle vent. The sections show an applied glazing bar detail as well as other elements which do not appear to directly relate to the windows in question. Nor did there did appear to be a drawn detail for the replacement vertically sliding sash windows.
14. Although it was clear from the discussion at the hearing that the appellant intends to install double-glazed windows which faithfully replicate as far as possible the existing window designs, the submitted details do not offer this assurance. It may have been difficult for the appellant to secure a suitable joiner, but I saw little evidence of which contractors had been approached and the feedback from them. There is a cost to producing accurate technical drawings and I recognise that the appellant intended to commission these from the supplier once consent had been granted. However, to determine a listed building consent application of this nature, full and accurate details of the existing and proposed elevations and sections of each window type are required from the outset to understand how the proposed change would affect the significance of the building. The replacements have the potential to markedly alter how the building is appreciated internally and externally. Given the status of the building and the importance of the windows to its significance these matters could not be dealt with by way of condition. Conditions would only be appropriate to secure the finer details of the joinery.
15. There may be listed properties elsewhere, which have received consent for the type of units proposed. However, there is little supporting evidence to explain where these properties are, their significance, or the circumstances surrounding those decisions. Therefore, I am not certain that these reflect the circumstances before me, and I will consider this appeal on its own merits.
16. I therefore conclude that, even if I were to consider that the existing windows were beyond repair and could be replaced and upgraded to double-glazed units, the

proposed replacements would not be of an acceptable design, construction or appearance. The proposal would harm the special architectural and historic interest of a Grade II* listed building, and its significance would not be preserved. Therefore, the expectations of the Act would not be met. Paragraph 212 of the Framework advises that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to advise that significance can be harmed or lost through alteration or destruction of those assets and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage asset, in the language of the Framework, to be a medium level of less than substantial harm in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal. The Framework requires that this harm should be weighed against the public benefits of the proposal.

17. The appellant appears committed to preserving the building and considers that the replacement windows would enable its re-use and enhancement as well as thermal upgrading and security. Maintenance of the fabric of a listed building, helping secure re-use and improvements to thermal efficiency can all reasonably be considered as public benefits. However, whilst the replacement windows would help achieve these benefits, it has not been adequately demonstrated that these could not be achieved by other means without incurring the harm identified. As such, I consider that little weight can be given to these benefits.
18. Given the above, I conclude that the public benefits identified would be of insufficient weight to outweigh the great weight to be given to the harm to the Grade II* listed building. In addition, there is no clear and convincing justification for the harm to its significance. It therefore follows that the proposal would not comply with the Framework and would conflict with Policy 2 of the North Northamptonshire Joint Core Strategy (2016), in so far as this is relevant.

Other Matters

19. The appellant considers that the Council should have held discussions with him during the determination of the application to explain their concerns with the proposal. Whilst this would clearly be desirable, these are matters for the Council and do not relate to the merits of this decision. The appellant questions aspects of the list description for the building but I have assessed the proposal based on the submitted evidence and my site visit and any suggested inaccuracies have no bearing on my decision.

Conclusion

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

G Bayliss

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Tim Foster

FOR THE LOCAL PLANNING AUTHORITY:

Mr John Cosgrove

Principal Development Officer

Ms Sam Pace

Conservation Officer