



Appeal Decision

Site visit made on 6 December 2023

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/X1925/Y/23/3323283

2 Crown Cottages, Ley Green, Kings Walden Hitchin Hertfordshire SG4 8LU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Marius Riabovas Schnauber - Timber windows and doors against the decision of North Hertfordshire District Council.
 - The application Ref 22/02398/LBC, dated 8 September 2022, was refused by notice dated 30 November 2022.
 - The works proposed are 'timber windows replacement'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal relates to a listed building consent for 2 Crown Cottages which is part of the Grade II listed building 'Crown Cottages' (Ref: 1176447). I have therefore had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').

Main Issue

3. The main issue is whether or not the proposed works would preserve the Grade II listed building, Crown Cottages of which the appeal site is part, and any of the features of special architectural or historic interest that it possesses.

Reasons

4. Crown Cottages comprises a terrace of modest single-storey plus attic dwellings. The listing description indicates that 1 Crown Cottages dates to the 17th century and that 2 and 3 Crown Cottages were built at the same time in the early 18th century. The cottages vary in width and there is some difference in their detailing, including brick headers above the windows at No 1 while Nos 2 and 3 have a continuous platband over the windows. However, they share a distinctive diaper-pattern tiled roof, similar gabled dormer windows at eaves levels and a white painted brickwork exterior which provides for an attractive sense of unity. The main parties agree that the four-light single-glazed timber casement windows to the front of the building are not original. Nevertheless, and while they are not totally identical to one another, their similar style and traditional construction complements the historic building and adds to the unified character of the group.
5. Given the above, I find the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with the architectural and historic interest of the building as a cohesive terrace of vernacular cottages.

- The consistency in the traditional detailing and materials of the building, including the fenestration to the front elevation, makes an important contribution in this regard.
6. The appeal proposes replacement of three windows; two to the front of the appeal dwelling and one to the side of the front porch. The proposed windows would have timber frames and would reflect the proportions of the existing windows to be replaced with glazing bars of appropriate width. However, they would be double-glazed in contrast to the existing single-glazed windows. The units would be thinner than conventional double-glazing, but not substantially so, and with a depth of around 20mm across the two panes of glass and cavity, they would have a considerably thicker profile than the existing single-glazed windows. The presence of two panes would also result in a double reflection that would not be present with single-glazing. Furthermore, the glazing bars would be applied to the glass rather than comprising through-glazing bars between individual lights. Given the depth of the cavity, I consider that this would be readily discernible, even if the spacers were of similar colour to the glazing bars. Noting also the lack of a puttied finish to the bars, the proposal would not convincingly replicate traditional fixtures.
 7. The cumulative effect of these differences mean that the replacement windows would be appreciable as obviously modern fixtures. In my view, they would be markedly at odds with the architectural character and finer detailing of the listed building and would stand out incongruously against the traditional windows to the rest of the front elevation.
 8. I acknowledge that all of the replacement windows would be flush casements whereas the dwelling currently has a storm-proof casement at first-floor level and flush casements at ground floor level. However, the visual impact of the difference in the existing frames is limited and I consider that the enhancement offered by the greater consistency in fenestration to the appeal dwelling would be far outweighed by the striking contrast with other windows to the front of the listed building.
 9. The appellant asserts that the windows would be a substantial distance from the main road. However, the front garden is fairly shallow and I consider that the windows would appear distinct from others to the terrace in views from the street to the front of the building. In any event, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of any public views.
 10. I appreciate that the existing windows are not original. Nevertheless, they contribute to the special interest of the listed building. Having regard to the detail of the replacement windows, I find that the proposal would erode the historic and architectural integrity of Crown Cottages. It would fail to preserve the special architectural and historic interest that the listed building possesses and would cause harm to its special interest.
 11. The National Planning Policy Framework ('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. It goes on to advise that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

12. Given the limited nature of the works relative to the building as a whole, I find that the harm to the listed building would be less than substantial in the terms of the Framework, but nevertheless of considerable importance and weight.
13. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
14. I saw at my visit that the existing windows are in somewhat poor condition and I do not doubt that the proposal could improve living conditions for occupiers. The appellant also argues that the replacement windows would improve the thermal performance and energy efficiency of the dwelling, reducing carbon emissions and energy costs. Given however that the proposal relates to a single dwelling, any environmental benefits to the wider public are likely to be minimal.
15. There is also no detailed assessment of the condition of the existing windows or other firm information before me to substantiate the appellant's assertion that they are beyond economical repair. Nor to demonstrate that their thermal efficiency could not be improved through measures such as secondary glazing. Even if I were to accept that the existing windows are beyond repair and require replacement, the Council refers to examples of slimmer double-glazed window products with individually glazed panes. It seems to me that these could more closely replicate the qualities of the existing windows which would help to reduce the effect of the proposal on the special interest of the listed building and there is no compelling evidence before me to demonstrate that these would have an unacceptable failure rate or requirement for maintenance. Nor that they would otherwise be unsuited or inappropriate to the dwelling. From the information before me, I am not therefore satisfied that similar benefits could not be achieved by a proposal that would be less harmful to the special interest of the listed building.
16. In this context, I find that the public benefits of the proposal are insufficient to outweigh the considerable importance and weight to be given to the harm that I have identified.
17. The appellant refers to examples of projects using double glazed timber units in conservation areas and listed buildings elsewhere. However, from the very limited details presented, effects on the buildings concerned are unclear and there is little evidence of direct comparability with the appeal proposal which I have considered on its own merits.
18. Given the above, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building 'Crown Cottages, thus failing to satisfy the requirements of the Act and the Framework. Although not determinative, it would also be contrary to Policy HE1 of the North Hertfordshire Local Plan 2011-2031 (adopted 2022) insofar as it is relevant and broadly seeks development that preserves the significance of heritage assets.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR