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# Appeal Decision

Site visit made on 12 March 2014

**by Philip Willmer BSc Dip Arch RIBA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 27 March 2014**

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**Appeal Ref: APP/Y9507/E/13/2208915**

**1 Church Lane, Hambledon, Waterlooville, Hampshire, PO7 4RT.**

- 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 Mrs Cheryl Hamilton against the decision of the South Downs National Park Authority.
  - The application Ref SDNP/13/03629/LIS, dated 31 July 2013, was refused by notice dated 1 November 2013.
  - The works proposed are described as change 5 in total modern replacement windows to the south elevation to more closely match the original style and other replacement windows.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The appeal site is located in the Hambledon Conservation Area. I am required therefore to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Therefore, although not a reason for refusal, I shall nevertheless, as I am required to do, consider this as one of the main issues in this appeal.

## Main Issues

3. I consider the main issues to be the effect of the proposed works on the special architectural and historic interest of 1 Church Lane listed grade II, its setting and whether the works would serve to preserve or enhance the character or appearance of the Hambledon Conservation Area.

## Reasons

4. The property the subject of this appeal, number 1 Church Lane, was formed by combining two cottages into one dwelling. It is listed grade II and located in the Hambledon Conservation Area.
  5. According to the list description the two cottages, while probably of an earlier origin, date from the late C18. In my view, the property's special architectural
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and historic interest relates to the history of its development, its design and detailing, and setting as part of a group.

6. When the dwelling was recently refurbished the windows to the street elevation were replaced, with the approval of the local planning authority, with new single glazed casement windows. Secondary glazing was added internally.
7. The appellant proposes the replacement of five contemporary, painted, storm proof timber casement windows located in the south (rear) elevation at ground floor level with new double glazed timber windows. Due to the enclosed nature of the rear garden there are only very limited views of the rear of the house from the public realm.
8. It is proposed that the windows would all be of a simple casement style with a single horizontal glazing bar. They would reflect the style and proportion of the recently installed windows to the north façade. The double glazing units would be just 12 millimetres thick and retained externally by putty and, although not shown, I assume traditional sprigs, thus maintaining a traditional putty line. This is not common with double glazing that generally requires timber beading to conceal the seal to the edge of the glazing units. Nevertheless, the installation of double glazing would result in the rebate in both the glazing bars and main framing members of the casement to house the glazing, being more substantial than would traditionally have been the case were the windows to be single glazed.
9. The Park Authority raises no objection to the removal of the existing windows or to the design and proportion of the replacement of the windows as it considers the existing to be of a poor quality unsympathetic design. Its concern relates solely to the introduction of double glazing as opposed to single glazing here.
10. In my judgement double glazing, even slimline glazing as proposed, would appear visually very different to a single pane of glass. This is due to the introduction of a perimeter seal between the edges of the two panes of glass and the required detail changes to the framing members of the casement and glazing bars to receive the thicker glazing units. Further, double glazing also tends to reflect light differently which in turn draws the eye to it. Accordingly, although the proposed design of the windows would far better reflect a traditionally designed and made casement window that would be more appropriate here, these features, while seemingly slight, would make the modern construction of the windows clearly obvious to all but the most casual of observers.
11. One of the core planning principles of the National Planning Policy Framework (the Framework) is that heritage assets, such as listed buildings and conservation areas, should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. The fact that double glazed units, which are inherently modern in concept and give a different appearance to single glazing, are proposed in a window designed to replicate a vernacular window does not, to my mind, achieve the objective of restoration as the new windows would simply be a replacement of one inappropriate feature with another. This would fail to better reveal the significance of the asset. These concerns are heightened due to the fact that the windows in the two principal façades would

appear very different one to another. Accordingly, I consider that the replacement of the windows would cause significant harm to the special architectural and historic interest of the building. As the windows would all be at ground floor level and not open to views from outside the garden, their replacement would have a neutral effect on the character and appearance of the conservation area. Accordingly, while they would not enhance the character or appearance of the conservation area they would on balance preserve it.

12. The Framework requires great weight to be given to the conservation of designated heritage assets, which include listed buildings. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits, including securing the optimum viable use.
13. The replacement of the windows would provide some limited economic benefit, in terms of the work itself. I appreciate that double glazed windows may well over time contribute to the conservation of energy. However, their impact in this regard here would in any case be limited. This is due to their limited surface area as a percentage of the overall area of the building envelope, the fact that new and therefore well fitting windows are proposed and secondary glazing and thermally efficient curtains could also be provided without harm. Accordingly, given the harm that has been identified I conclude that the public benefits would not outweigh this harm, or the conflict that the works would have with the objectives of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Framework, Policy CP20 of the Winchester District Local Plan Part - 1 Joint Core Strategy (Adopted March 2013) and Policy HE14 of the Winchester District Local Plan (Review) 2006 as they relate to the preservation of the fabric and setting of listed buildings.

### **Other matters**

14. I note from the appellant's evidence that the installation of double glazed units similar to those proposed here was permitted by the Council at Peartree Cottage and, as I saw, there are also examples of uPVC double glazed windows elsewhere in the conservation area. I have also taken particular note of the results of the projects undertaken in Edinburgh's Old and New Towns. Whatever the circumstances surrounding those matters I do not consider them to justify the installation of double glazing here, where I have considered the proposal on its individual merits.
15. I appreciate that the appellant proposes to employ a local Master Carpenter and to fabricate the windows from Accoya, sustainable treated softwood. However, in this case it is not the timber window frames that are the concern, rather the proposed glazing with double glazed units.
16. I agree with the appellant that secondary double glazing can in itself be visually intrusive. However, due to this it is clear to all that it is a modern intervention and therefore in this respect does not mislead anyone that it is an original feature. Furthermore, it is easily removable.
17. The appellant has drawn to my attention concerns relating to the Council's consideration of the original application and her subsequent post application enquiries. These matters are however not relevant to my consideration of the merits of this appeal.

## **Conclusions**

18. The Government published its *planning guidance* on the 6 March 2014 and it applies from the date of publication. The content of the guidance has been considered but in light of the facts in this case it does not alter my conclusions.
19. For the reasons given above and having regard to all other matters raised, including the support of the Parish Council for this proposal and lack of objection from neighbours, I conclude that the appeal should not succeed.

*Philip Willmer*

INSPECTOR

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