

This report needs to be read in conjunction with the Decision Notice.

DATE INSPECTED:

Ribble Valley Borough Council

DELEGATED ITEM FILE REPORT - APPROVAL

Ref: AD/EL

Application No:	3/2014/1023/P
Development Proposed:	Replacement of existing windows and insertion of one conservation-style velux window at 58 Church Street, Ribchester

CONSULTATIONS: Parish/Town Council

Parish Council – The building is currently unoccupied and there is water ingress around the chimney. The two applications cover proposed repairs necessary to return the property back to a standard where it can be occupied. As this long running saga requires urgent resolution, the Parish Council raises no objection to either application.

However, the sad history of the case reinforces the Council's belief that much more should be done to alert new owners to the constraints imposed by listed building and Conservation Area status. The Parish Council has sought to bring this forward on a number of occasions, most recently in an article written for the Council's winter newsletter, a document that is circulated to every household in the Parish. A copy of this article is attached for information:

"Before any consideration of the issues it is worth posing to consider the comments of a Government Planning Inspector made some two years ago during a planning appeal.

'Ribchester is an attractive village with Roman and pre-Roman antecedents. Church Street, at the village heart, leads down to the bank of the River Ribble and is characterised by terraces of modest houses. Typically they are built of stone with slate roofs and although some have been marred by the incorporation of unsuitable modern features they still form a harmonious and attractive whole. While, in the older part of Church Street, dormer windows and some roof lights are untypical of the roofscape the character of Church Street has still not been seriously eroded'.

Much of this change can be laid at the lack of a coherent management plan for the Conservation Area that has been apparent for some time. Over the years in Ribchester, the conservation concept has often been honoured in the breach rather than enforced. As a consequence there has been a steady loss of architectural detail on properties, one of the principal weaknesses of the conservation area recognized in the 2006 Conservation Appraisal by the Conservation Studio.

The Parish Council supports the principle of the conservation area. It firmly believes that it should be protected or indeed enhanced. But in so doing acknowledges that this laudable ambition brings with it an issue of general concern –the lack of general guidance. It seems reasonable for property owners to have available a document that sets out the reasons why we have a Conservation Area, what it is meant to achieve and how the Borough Council seeks to protect it. Without such advice owners can be left very much in the dark and may, possibly through ignorance of the 'rules', ignore restrictions on development. New owners are particularly vulnerable to this, as they may well have moved to the area unaware of its history.

The Parish Council has pressed for this for some time, while seeking to avoid provoking an over reaction by the Borough Council. Gentle guidance for the future is perhaps what is

required. The report by the Conservation Studio in 2006 could have provided a platform and might yet be able to do so. Adopting – and more importantly- publishing guidance would assist owners to avoid issues that regularly come to the fore.

A plan of the Conservation Area together with published advice from the 'Conservation Appraisal' can be found on the Borough Council website".

CONSULTATIONS: Highway/Water Authority/Other Bodies

Historic amenity societies – Consulted, no representations received.

CONSULTATIONS: Additional Representations.

No representations have been received.

RELEVANT POLICIES:

Planning (Listed Buildings and Conservation Areas) Act 1990.

NPPF

NPPG

HEPPG

Policy DME4

Ribchester Conservation Area Appraisal.

COMMENTS/ENVIRONMENTAL/AONB/HUMAN RIGHTS ISSUES/RECOMMENDATION:

50-58 Church Street Ribchester is a Grade II listed (one entry in list; 22 November 1983), late C18 row of houses prominently sited within Ribchester Conservation Area. The list description identifies "*squared sandstone ... each house of one bay above is a plaque of '1795' (No. 56)*". Typically, the list description does not refer to building interiors. Whilst the row has obvious group value there is no evidence to suggest that this was the only reason for their designation.

The immediate street scene includes the Grade II listed Nos. 8-15, Nos. 16-22, Nos. 23 and 24, Nos. 25 and 26 and Nos. 28 and 29 Church Street and a number of Buildings of Townscape Merit (The Ribchester Conservation Area Appraisal - The Conservation Studio consultants; adopted by the Borough Council following public consultation 3 April 2007) which make a positive contribution to the conservation area. No. 58 Church Street is within the setting of these buildings and the other properties within the row 50-58 Church Street.

English Heritage commented on 3/2014/0552 that:

"Key elements that add to the significance of the building includes the Georgian design embodied in the proportions and details of the design; the craftsmanship and materials used; and the relationship between number 58, the rest of the row on Church Street and the Ribchester Conservation Area".

The Ribchester Conservation Area Appraisal identifies:

- (i) An Important View to pass along Church Street and in front of 58 Church Street;
 - (ii) *Ribchester village is dominated by rows of handloom weavers' cottages, many of which were built in the late eighteenth century (Overview);*
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- (iii) *The architectural and historic interest of the area's buildings, 21 of which are listed; Narrow, closely developed streets of former handloom weavers' settlement; Handloom weaver's cottages, including two with cellar loomshops, particularly in Church Street and Water Street; The prevalent use of local building stone (Summary of Special Interest);*
- (iv) *Ribchester's greatest period of expansion and prosperity was from the late eighteenth century, when rows of handloom weavers' cottages were built in Church Street and Water Street, transforming a small rural settlement into an industrial village (General Character and Plan Form);*
- (v) *The conservation area is primarily residential (Definition of the Special Interest of the Conservation Area: Activities/Uses);*
- (vi) *Ribchester has a high number of buildings surviving from the late eighteenth century, and some are probably rebuildings or alterations of earlier structures. It seems highly likely that Ribchester was substantially rebuilt from the later eighteenth century into the early nineteenth century corresponding with its growth as an industrial village and centre of handloom weaving. The survival of these buildings in Ribchester has retained a character that would have been shared by many of east Lancashire's textile towns around 1800. In these other settlements later expansion led to the replacement of earlier buildings which as a consequence of overcrowding were often regarded as slums. In Ribchester it is clear that these handloom weavers' cottages were well built for their period and a cause of pride as indicated by the numerous examples with initialled datestones.*

In keeping with many small provincial towns, the impact of Georgian building techniques was notable but also mixed with local building techniques and building customs continued to be used. Some of the cottages whilst being broadly vernacular in style have high quality classically inspired detailing on their sandstone door surrounds. As with many other towns where nineteenth century development was limited, the physical environment retains a distinctive local individuality. Typically of such settlements, the status of the buildings and the occupants was mixed throughout and there was no development of specific class related areas. Overall, however, there is a high proportion of handloom weavers' cottages, built as two-up, two-down properties. Some had either first floor or ground floor weaving windows, but others had separate loomshops added to the rear of the buildings, or in the rear yards. Although the highest concentration of weavers' cottages is in Church Street and Water Street (Architectural and Historic Character);

- (vii) *The buildings of Ribchester were constructed mainly in Millstone Grit, with some fine grained sandstone used for decorative features, such as door and window surrounds. Stone flags and slate were used for roofing. In the late eighteenth and earlier nineteenth century most buildings were constructed using water-shot stone building*
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techniques. Older buildings were rubble-faced, and later nineteenth century structures were built using pitch-faced stone blocks (Building Materials and Local Details);

- (viii) *Insensitive alteration of historic buildings spoiling the conservation area's historic character and appearance (Weaknesses: the principle negative features of the Ribchester Conservation Area);*
- (ix) *Continuing loss of original architectural details and use of inappropriate modern materials or details. Many of the unlisted, and some of the listed, buildings in the conservation have been adversely affected by the use of inappropriate modern materials or details (Threats to the Ribchester Conservation Area).*

Relevant Planning History

3/2014/0552 - Internal works. LBC refused 12 August 2014.

3/2014/0553 - Cleaning of external stonework. LBC refused 12 August 2014.

3/2014/0569 - Replacement of existing windows and insertion of two conservation style velux windows. LBC refused 12 August 2014.

A public complaint (February 2014) alleging unauthorised works to the listed building is being investigated by the Borough Council. Uninvited retrospective applications were received (June 2014) in respect to 'Internal works' (3/2014/0552), 'Cleaning of external stonework' (3/2014/0553) and 'Replacement of existing windows and insertion of two conservation style velux windows' (3/2014/0569).

3/1988/0863 – Replacement windows. LBC granted 13 February 1989.

3/1977/0975 – Alterations and extensions. RVBC letter 9 November 1977 confirming works to be permitted development. Existing and proposed plan drawings do not suggest any existing or proposed access to the attic at this time.

Relevant Legislation, policy and guidance

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering applications for listed building consent, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

In respect to Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Governance and Legal Director of English Heritage ('Legal Developments' Conservation Bulletin Issue 71: Winter 2013) states that the courts have said that these statutory requirements operate as '*a paramount consideration*' and '*the first consideration for a decision maker*'.

The Governance and Legal Director of English Heritage ('Legal Developments' Conservation Bulletin Issue 73: Winter 2014) states in respect to (any level of) harm to a listed building:

"The Lyveden case reaffirmed that this means the conservation of a listed building should be afforded 'considerable weight and importance' ... with the 'great weight' of paragraph 132 and you should appreciate that minor harm does not mean merely a minor concern ... Any harm is to be given 'great weight' whether it is serious, substantial, moderate, minor or less than substantial ... every decision should acknowledge the general priority afforded to heritage conservation in comparison to other planning objectives or public benefits ... Minor harm to a heritage asset can add up to major and irreversible damage. It is obviously right that planning decisions reflect on this threat each and every time".

In respect to the Lyveden Court of Appeal decision, Gordon Nardell QC and Justine Thornton ('Turbines, heritage assets and merits', Local Government Lawyer, 24 April 2014) state:

"the key point is that once a decision-maker finds harm (to setting), there must be some express acknowledgement of the 'considerable' weight to be given, in the balance, to the desirability of avoiding that harm. It is not enough to ask in a general sense whether benefits outweigh harm, but whether they do so sufficiently to rebut the strong presumption against permission".

Consideration of 'less than substantial harm' is made in the Secretary of State's decision on Lane Head Farm, Cumbria (recovered appeal; decision 16 April 2014; paragraph 11) and Bythorn and Molesworth, Cambridgeshire (recovered appeal; decision 3 December 2014; paragraph 29): *"having regard to the judgment in the Barnwell Manor case, the Secretary of State takes the view that it does not follow that if the harm to heritage assets is found to be less than substantial, then the subsequent balancing exercise undertaken by the decision taker should ignore the overarching statutory duty imposed by section 66(1). He therefore sees a need to give considerable weight to the desirability of preserving the setting of all listed buildings".*

Robin Purchas' QC recent judgement in **North Norfolk** is also noted *"inspector's approach seems to me at this level to have balanced the relative harm and benefit as a matter of straightforward planning judgement without that special regard required under the statute" (paragraph 73).*

J. Lindblom's recent judgment in **Forge Field** (12 June 2014) is also noted where it was held that having "special regard" or paying "special attention" involved more than merely giving weight to those matters in the planning balance: "preserving" in the context of s.66(1) and s.72(1) meant doing no harm. There was a strong statutory presumption against granting planning permission for any development which would fail to preserve a listed building's setting or a conservation area's character or appearance. A local authority was not allowed to treat the desirability of preserving those elements as mere material considerations to which it could simply attach such weight as it saw fit; when a local authority found that a proposed development would harm a listed building's setting or a conservation area's character and appearance, it had to give that harm considerable importance and weight.

Paragraph 49 of the **Forge Field** judgment states *"an authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering"*. The **South Lakeland (2014)** judgment also states *"paragraph 134 is something of a trap for the unwary if read – and applied – in isolation" (paragraph 53).*

The NPPF is particularly relevant at paragraph 6, 7, 8, 14, 17, 56-57, 60-61, 126, 128 - 134, 186- 191, 196-197, 215- 216 and Annex 2.

NPPF paragraph 132 states "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification".

The NPPG is particularly relevant in stating:

Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

Distinctiveness is what often makes a place special and valued. It relies on physical aspects such as:

*building forms;
details and materials;
style and vernacular.*

Pre application discussions are an opportunity to discuss the design policies, requirements and parameters that will be applied to a site.

When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change.

Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by ... our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The HEPPG is particularly relevant at paragraph 80, 113-122, 142 -143, 152, 158-161, 180, 185-186 and 189.

HEPPG paragraph 152 states "Doors and windows are frequently key to the significance of a building. Change is therefore advisable only where the original is beyond repair, it minimises the loss of historic fabric and matches the original in detail. Secondary glazing is usually more appropriate than double-glazing where the window itself is of significance".

HEPPG paragraph 185 states "The insertion of new elements such as doors and windows, (including dormers and roof lights to bring roof spaces into more intensive use) is quite likely to adversely affect the building's significance. Harm might be avoided if roof lights are located on less prominent roof slopes. New elements may be more acceptable if account is taken of the character of the building, the roofline and significant fabric. Rooflights may be more appropriate in agricultural and industrial buildings than dormers. In some circumstances the unbroken line of a roof may be an important contributor to its significance".

HEPPG paragraph 186 states "New features added to a building are less likely to have an impact on the significance if they follow the character of the building".

HEPPG paragraph 160 states "Restoration is likely to be acceptable if:

1. *The significance of the elements that would be restored decisively outweigh the significance of those that would be lost.*
2. *The work proposed is justified by compelling evidence of the evolution of the heritage asset, and is executed in accordance with that evidence.*
3. *The form in which the heritage asset currently exists is not the result of a historically-significant event.*
4. *The work proposed respects previous forms of the heritage asset.*
5. *No archaeological interest is lost if the restoration work could later be confused with the original fabric.*
6. *The maintenance implications of the proposed restoration are considered to be sustainable".*

HEPPG paragraph 114 states "The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as ... spatial associations; and, by our understanding of the historic relationship between places".

Core Strategy Submission version as proposed to be modified is particularly relevant at Policy DME4.

'Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment' (English Heritage, 2008) identifies four groups of heritage values: Evidential, Historical, Aesthetic and Communal.

Paragraph 91 states:

"Evidential value, historical values and some aesthetic values, especially artistic ones, are dependent upon a place retaining (to varying degrees) the actual fabric that has been handed down from the past; but authenticity lies in whatever most truthfully reflects and embodies the values attached to the place (Principle 4.3). It can therefore relate to, for example, design or function, as well as fabric. Design values, particularly those associated with landscapes or buildings, may be harmed by losses resulting from disaster or physical decay, or through ill-considered alteration or accretion".

Paragraph 128 states:

"The concept of authenticity demands that proposals for restoration always require particularly careful justification. Reinstating damaged elements of work directly created by the hand of an artist normally runs counter to the idea of authenticity and integrity".

Paragraph 130 states:

"The heritage values of the elements that would be restored decisively outweigh the values of those that would be lost - Any restoration inevitably removes or obscures part of the record of past change to a significant place, and so reduces its evidential value, as well as

potentially affecting its historical and aesthetic values. Restoration may, however, bring gains by revealing other heritage values, such as the integrity and quality of an earlier and more important phase in the evolution of a place, which makes a particular contribution to its significance. Careful assessment of the values of the elements affected is essential. Where the significance of a place is the result of centuries of change, restoration to some earlier stage in its evolution is most unlikely to meet this criterion".

'Constructive Conservation in Practice' (English Heritage, 2008) states "*Constructive Conservation is the broad term adopted by English Heritage for a positive and collaborative approach to conservation that focuses on actively managing change.*

The aim is to recognise and reinforce the historic significance of places, while accommodating the changes necessary to ensure their continued use and enjoyment ...

... The Principles also underline the importance of a systematic and consistent approach to conservation. In order to provide this consistency, we are guided by a values-based approach to assessing heritage significance".

The 'Building in Context Toolkit: New Development in Historic Areas' (CABE, EH, the architecture centre) identifies 8 building in context principles.

'The Setting of Heritage Assets' (English Heritage, October 2011) states:

'where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting ... consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset'.

'the cumulative impact of incremental small-scale changes may have as great an effect on the setting of a heritage asset as a large-scale development' (4.5).

'A conservation area that includes the settings of a number of listed buildings, for example, will also have its own setting, as will the town in which it is situated. The numbers and proximity of heritage assets in urban areas means that setting is intimately linked to considerations of townscape and urban design'.

'The degree of conscious design or fortuitous beauty in a townscape setting and the degree of visual harmony or congruity it provides will vary, but will always be an important consideration ... where a development in the setting of a heritage asset is designed to be distinctive or dominant and, as a result, it causes harm to the asset's significance, there will need to be justification for that harm'.

The Ribchester Conservation Area Management Guidance (The Conservation Studio consultants; subject to public consultation) states:

(i) Windows: Sliding sash and side-hung casements are the two principal window types. As a rule, windows in historic buildings should be repaired, or if beyond repair should be replaced 'like for like'. It is important that the design, scale and proportion of new windows should be sympathetic to the character of the building.

Glazing bars in old buildings are invariably moulded and slender. Over time, the thickness and moulding of glazing bars, the size and arrangement of panes and other historic window details varied. Care is therefore needed in the repair and replacement of

historic windows to ensure works are 'honest' and not historically misleading. Details should be appropriate to the date of the building or to the date when the window aperture was made;

(ii) *Doors and doorways: Original doors should be retained. Their replacement or defacement is often entirely unnecessary.*

(iii) *Appearance, materials and detailing: If windows are to be double glazed, then these must be carefully designed. Avoidance of glazing bars can assist in achieving a satisfactory solution.*

(iv) *Key Design Principles: All new development should seek to ... employ robust detailing, avoiding fussy or gimmicky use of applied features or detailing.*

'Traditional windows: their care, repair and upgrading' (English Heritage, September 2014) states:

"Rather than focusing entirely on windows, it is better to consider energy conservation measures that address the thermal efficiency of the whole of the building. This should include not just physical measures, such as loft insulation and draught-proofing, but also the efficiency of heating systems and controls and the way these are used.

Given the small proportion of the country's building stock that is listed or within a conservation area, energy conservation alone will rarely justify the replacement of windows that contribute to a building's significance. In every case, the aim should be to strike an appropriate balance between energy conservation and building conservation. Adopting a 'whole building' approach can help in understanding where energy goes, and identifying less harmful options to achieve energy savings.

... In energy terms IGUs have pay-back periods that can greatly exceed their design life, especially for units filled with inert gases. When the seals fail and let in water vapour this then condenses on the interior of the glass. They are difficult to repair are also much more difficult to recycle than plain glass – discarded double-glazed windows have become a major contributor to landfill. The energy required in manufacturing and transportation can also be significant in the overall equation.

... It is generally accepted that the insertion of PVC-u windows and conventional double-glazing in listed buildings is inappropriate. Where these have been installed, they invariably degrade the aesthetic qualities of the building and often its value as well.

In cases where the significance of a building has been harmed by the installation of replacement windows of inappropriate character, consideration may be given to the installation of new slim-profile double-glazed replacement windows where:

the new windows are of sympathetic and appropriate design, and used in locations where the significance of the building will not be harmed

no incidental damage to the building fabric will result from the removal of the existing windows.

Windows glazed with slim-profile IGUs do not replicate the qualities of historic single glazing. Their detailing cannot precisely match that of historic fenestration. Therefore, where the significance of a building warrants an accurate copy of a historic window, this should be single glazed and consideration given to draught sealing or secondary glazing or compensatory measures to enhance energy efficiency in other parts of the building”.

'Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to Historic and Traditionally Constructed Buildings' (English Heritage, 2011) states:

“The Importance of Windows in Older Buildings: Window openings and frames give a building’s elevation its character. They should not be altered in their proportions or details, as they are conspicuous elements of the design ... Replacing traditional single-glazed sash windows with double-glazed PVCu windows can be very damaging to the special character and appearance of the building. The fundamental objections, amongst many, are that double-glazed sealed units thicken the dimensions of glazing bars inappropriately, or result in extremely poor facsimiles stuck to the face of the glass. The frames and glazing of many historic windows have fallen victim to inappropriate replacements, but over the past decade greater appreciation of their value has begun to develop. However, many windows are still threatened and Part L must not become the agent for their thoughtless destruction. While listed buildings enjoy some protection, unlisted buildings are at high risk – even where they are in conservation areas.

Window Types and Materials: England has a rich tradition of window designs and materials from different periods of history. Most historic windows are timber-framed. Oak joinery (either fixed or in casements) predominated until the late 17th century, when, with the advent of the sash window, softwood was imported from Scandinavia and the Baltic. This slow-grown, high-quality, naturally durable timber continued to be widely used until the early 20th century. Thereafter use began to be made of inferior species, the timber from which needed chemical preservatives to provide some degree of longevity. It is very difficult to source timber of traditional quality and durability today. Where possible windows should be repaired and continue to be used All these windows are important historically and should be conserved (page 46).

New ‘facsimile’ double-glazed windows have been developed with sealed units and low emissivity glass. In most cases these fail to provide an adequate visual match to the original patterns owing to the thickness of the glazing-bar required to accommodate the glazing cavity. It is impossible to replicate most original glazing bars in double glazing even with the thinnest systems. The aim should be to improve thermal performance whilst retaining the existing windows by investigating the following options: Draught Proofing ... Secondary Glazing ... Shutters (page 49).

... reducing carbon emissions from buildings is not just about heating and insulating the building fabric. Much can be achieved by changing behaviour avoiding waste, using energy efficient controls and equipment and managing the building to its optimum performance, all of which is as relevant to older buildings as new ones.

For historic buildings and those of traditional construction an appropriate balance needs to be achieved between building conservation and measures to improve energy efficiency if lasting damage is to be avoided both to the building’s character and significance and its fabric. For example, it would be neither sustainable nor cost effective to replace a 200-year-old window that is capable of repair and upgrading with a new double-glazed alternative and even less so if the new window were to have an anticipated life of only 20–30 years, as

some do.

... the Approved Documents make it clear that a reasonable compromise on the energy efficiency targets may be acceptable in order to preserve character and appearance and to avoid technical risks. They do this by specifically including some exemptions and circumstances where special considerations apply for historic buildings and those of traditional construction" (page 4).

In 'The Thermal Performance of Historic Windows', The Building Conservation Directory 2008, Chris Wood (Head of Building Conservation and Research Team at EH) suggests:

"There is little dispute as to how important windows are to historic buildings. After all, the front windows of a building are often the first feature to draw the eye".

The Georgian Group Guide No1 'Windows' states:

"No element does more than the fenestration to enhance the character of Georgian buildings; this is even more relevant to modest terraced houses and country cottages than it is to grander, multi-windowed piles. Yet in recent years the defacing of Georgian buildings by inappropriate modern windows has become more and more commonplace ... a vital component of the Georgian window was, naturally enough, its glass. Yet this feature is often the first casualty of window repair or replacement".

"the resultant visual effect is often dark and reflectant" (double-glazing of historic windows).

'Period house fixtures and fittings 1300-1900', Linda Hall, 2007, page 80-81 states:

"a major change occurred at the beginning of Queen Victoria's reign in 1837 when much larger sheets of cylinder glass and then plate glass became cheaper and more readily available. At first it was still too expensive for general use and sashes with small panes continued to be used for many houses. After the abolition of window tax in 1851 and the duty on glass in 1857 plate glass came into more general use. Each sash could now have only two panes of glass, usually divided vertically but sometimes horizontally and later just a single pane of plate glass. These sheets of glass were heavier than the small panes and the absence of glazing bars put a strain on the sash frame. To counteract this the sash horn was invented, a small projection below the joint on each side of the sash. Sash windows have frequently been repaired or renewed and unfortunately the replacements often have both horns and small panes of glass, two things which should never occur together".

'Traditional Sash Windows', Nottinghamshire County Council, page 8 states:

"In 1832, an improved process of making window glass was introduced in England. As a result of the larger and lighter sheets of glass produced by this method, the number of panes could be reduced to four in each sash, then two. Finally by the late Victorian and Edwardian periods, sashes consisting of a single sheet of glass had become popular. Often some of the glazing bars were removed in older windows to allow re-glazing with the new larger sheets of glass".

'Seeing is believing', RICS Building Conservation Journal, January 2014, page 30-31 states:

"New systems - Apart from the loss of fabric, the main issue with double glazing is one of appearance: modern glass is flatter and has different reflective qualities from older hand-blown glass, and the thicker double-glazed units require heavier, less elegant dividing bars than single glazing.

However, in recent years, new systems have been developed specifically for the requirements of historic buildings. The key to these systems is their profile; they are much slimmer than conventional double-glazed units, having a spacer bar of 3mm-4mm rather than 12mm-18mm. Using more thermally resistant inert gases such as krypton or xenon, rather than the more conventional argon, allows them to achieve similar levels of thermal performance in a slimmer unit.

This slim profile allows them to be retrofitted into existing sashes (retaining original fabric), or made into new sashes but using the original slender astragal dimensions”.

‘Warmer Bath: A guide to improving the energy efficiency of traditional homes in the city of Bath’ (Bath Preservation Trust and the Centre for Sustainable Energy) states:

“Most double glazing has a deep gap (up to 24mm) between the two panes of glass. However this requires deeper glazing bars than those of traditional windows. Slim-profile double glazing has a much smaller gap between the panes, typically 3-6mm deep. Although this is slightly less effective in reducing heat losses, it allows the exact dimensions of the original glazing bars to be retained.

... Timber double glazing is generally only permitted in listed buildings in Bath where the window being replaced is itself a modern replacement. Conservation officers will usually specify timber slim-profile double glazing with glazing bars matching the original window design. However, double glazing may not be approved even for a replacement window if there is a perceived detrimental impact on the significance of the building or the character of the street”.

APP/T2350/A/06/2028551 (February 2007) – 45 Church Street, Ribchester

“Ribchester is an attractive small town with Roman and pre-Roman antecedents. Church Street, at the heart of the town, leads down to the bank of the River Ribble and is characterized by terraces of modest houses. Typically they are built of stone under slate roofs and although some have been marred by the incorporation of unsuitable modern features, they form an harmonious and attractive whole, whose character has not been seriously eroded”

APP/T2350/F/09/2094978 – 20 Church Street, Ribchester (Grade II listed) is prescient:

“the appeal is allowed ... whereas the front elevation of the row of houses, and those of other houses to both sides, is well preserved, the rear elevation has been seriously eroded. There are probably no original window frames in openings in the rear elevation”.

APP/B1225/E/11/2165202 (Grade II listed house in Dorset, 11 June 2012):

“As far as traditionally configured modern double glazed units go, these ‘Slimlite’ fixtures offer amongst the closest approximations to traditionally fabricated historic window types available. Their principal distinguishing advantage being the employment of the functional glazing bars, a considerable improvement on those with sandwiched dividers within the unit and with profiled strips applied to their inner and outer faces. However, despite this achievement, it is the appearance of the double-glazed units, with their visible parting bead and the double register of the two panes of glass in each one that identify them as modern fixtures, critically undermining the integrity, character, and so special architectural interest and significance of the listed building.

... the justification for the choice of windows is to achieve a significant increase in the

thermal performance ... in this case, although there would be a modest increase in thermal performance of the dwelling overall, this would be significantly outweighed by the substantial harm to the special architectural interest and significance of the listed building. Such a conclusion is given added conviction through the absence of any evidence that alternative approaches to increasing thermal performance (other than standard secondary glazing) have been considered and assessed against the benefits of the appeal proposals”.

APP/X1118/E/11/2157186 (listed cottages in Devon, 20 December 2011):

“Historic Environment Planning Practice Guide states that changing windows is advisable only where the original is beyond repair. Secondary glazing is usually more appropriate than double-glazing where the window itself is of significance. The windows in this case show signs of decay particularly on the cills but I have seen no evidence to suggest that they are beyond repair. Secondary glazing would allow retention of the historic windows and could be installed with minimal impact on the fabric or appearance of the listed building.

The proposed replacement windows ... would have thicker and wider frames than the existing windows and have 24mm double glazing units fixed with timber beads. The size of the frames would reduce the area of glass in the windows giving them an uncharacteristically heavy appearance and an altered ratio of glass to timber.

... in view of the possibility of installing temporary, reversible secondary glazing, the improved thermal performance provided by the proposed scheme would not justify irrevocable harm to the heritage asset arising both from loss of the historic windows and the installation of inappropriate window replacements.

APP/Y9507/E/13/2208915 (change 5 replacement windows in listed building, Hampshire; 12 March 2014):

“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.

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.

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.

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.

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.

... I have also taken particular note of the results of the projects undertaken in Edinburgh's Old and New Towns".

APP/T2350/E/08/2072213, Rodhill Lodge, Bolton By Bowland (8 August 2008):

"I accept that views of the proposed conservatory from the public realm would be very limited but listed buildings are protected for their intrinsic value. The fact that the conservatory would be barely visible to anyone but the appellants is not a matter to which any great weight can be attached, therefore" (paragraph 6).

The gradual erosion of the character and appearance of conservation areas has resulted in English Heritage incorporating conservation areas within its yearly "Heritage at Risk" report and indicators. The initiating 2008 report in this regard formed part of a campaign to redress the 1 in 7 conservation areas found to be at risk (ie deteriorated over last 3 years or expected to do so over the next 3 years). The report states that "the problems fall into two categories: what owners and residents do or fail to do to their properties and how the Council maintains the streets and public spaces".

The report indicated that the top threat facing conservation areas was:

"1. *unsympathetic replacement doors and windows (83% of conservation areas).*

The English House Condition Survey (2006) found that 40% of houses built between 1850 and 1899 now have PVCu double glazed windows and all the evidence suggests that the proportion of historic houses with PVCu windows will continue to rise significantly."

Dr Simon Thurley, Chief Executive, English Heritage commented on the findings: "Does a row of Victorian villas with plastic windows lift your spirits? I doubt it."

The report also refers to a recent survey of estate agents which reveals:

1. *Unsympathetic replacement windows and doors, particularly plastic/PVCu, is the single biggest threat to property values in conservation areas".*

Brunskill R.W. 'Illustrated Handbook of Vernacular Architecture' (1978, page 123) states: "Even in a single house there was a gradation in the quality of materials and details from the front, to the sides, and then to the rear of the building. Thus the windows on the front of an

18C. Lancashire farm-house might have double hung sashes in moulded stone architraves, the sides having horizontally sliding sashes in the jambs of a squared rubble wall, while on the rear wall re-used stone mullioned windows with timber casements would be set in random rubble”.

The now defunct ‘Best Practice Guidance on Listed Building Prosecutions’ (CLG, 2006) stated:

“The options open to a local authority – enforcement enables an authority to require remediation of unauthorised works to a listed building to either bring a building either back to its former state or, where that is not practical or desirable, to alleviate the unauthorised works. The focus of enforcement action is clearly the building itself. Prosecutions, meanwhile, cannot remediate the building but will, where appropriate, both punish a perpetrator of unauthorised works and act as a deterrent, both to others and to the commission of repeat offences”.

Mike Harlow, Governance and Legal Director, English Heritage (in ‘Legal Developments’ Conservation Bulletin Issue 71: Winter 2013) states: *“Planning decisions are all about balanced judgment, but in that exercise there must be a sense of the weight society, through parliament, wishes to place on an objective like heritage conservation. The protection of listed buildings and conservation areas is clearly regarded as highly important, and that obviously should not be forgotten, out of respect for the democratic will as well as the law”.*

Submitted information

The Heritage Statement identifies:

“The nature of the heritage significance of 58 Church Street is primarily its position within an essentially intact row of nine terraced cottages built c.1795, which forms an important part of the historic core of Ribchester. However, although the historic origins and character of this group are readily apparent, the uniformity of the original design for the row (with the exception of no 56) has been much eroded over time” (6.1).

“Prior to the recent unauthorised work, no historic windows survived within the building, and those to the front elevation have large panes with top hung sashes, which are not in keeping with the building’s historic character, and so none of the existing windows contribute to its heritage significance” (6.3).

“Replacement of windows ... While these are not intended to be historically accurate as regards the house itself” (7.1).

The same author’s comments on 3/2014/0569 are also noted:

“the front openings (not those in the extension) have been enlarged, and their proportions are very different from their original, late eighteenth century forms ... these tall openings of late nineteenth/early twentieth century date”.

A Listed Building Consent Support Statement has also been submitted. This identifies:

A number of windows have already been made. However and critically *“the works to alter the two sash windows has yet to be carried out”* (2.3).

"All the doors are to be retained as existing or (in the case of the rear door to the extension) replaced on a 'like-for-like' basis. These works would have no impact on the character or appearance of the listed building. Thus, listed building consent is not required" (2.4). However, the rear uPVC French Doors are incongruous and are without reference in the planning record.

An holistic consideration of energy efficiency measures has not been undertaken (6.5).

The plans show the proposed sash windows for the front historic elevation to incorporate 24mm double-glazed units and stuck-on glazing beads to imitate glazing bars. No 'horns' are proposed.

Conclusions

I would concur with the Heritage Statement that the existing window fabric is not significant. I am mindful that openings are prominent (and their treatment very important to the appearance of Ribchester Conservation Area and the character of the listed terrace), the encouragement in NPPF and at section 72 P(LBs&CAs)Act 1990 to enhance significance and the consequences of not addressing poor alterations (see Planning inspector's comments: 20 Church Street Ribchester) and welcome proposed window replacement subject to conditions seeking sympathetic changes of detail to the two front sash windows.

In my opinion, the implemented rooflight and proposed restoration of the rear roof slope is acceptable.

The application submission is disappointing in respect to the provenance of sash window style (see 'Restoration' principles above) and I note that some apparent justification for the overall late C19/early C20 style has been deleted from the latest Heritage statement. Furthermore, the justification required by NPPF paragraph 132 for harmful works (e.g. the introduction of wide unit double-glazing - holistic assessment of building energy efficiency opportunities? Less harmful double-glazing availability?) is absent.

In my opinion, the proposed installation of the already manufactured casement windows is acceptable – these are without glazing bars (see Ribchester Conservation Area Management Guidance) or fussy detail and are proposed to modern and/or less prominent elevations. The harm from double-glazing reflectivity is mitigated by the removal of incongruous modern styles. I am also mindful of the extent of use of double glazing and other modern treatments to historic buildings in the vicinity and would be concerned that a refusal would not be supported at appeal.

In my opinion and mindful of window proportions, it is likely that the two historic build front windows were originally glazed in a style of similarity to that proposed. However, possible 'restoration' authenticity arguments are currently undermined by the unnecessary thickness of the double-glazed unit and its consequent impact on frame sizes and proportions, the absence of 'horns' (to be expected in a window of this era) and unconvincing detailing (stick-on glazing bars). In order to redress this outstanding harm, conditions are therefore suggested.

In attaching considerable importance and weight to the statutory duties at section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I would therefore recommend that listed building consent be granted subject to conditions.

RECOMMENDATION: That conditional listed building consent be granted.