SCHEDULE A: Applications with Recommendation

21/0448

Item No: 11 Date of Committee: 23/07/2021

Appn Ref No:Applicant:Parish:21/0448Mr McGregorBrampton

Agent: Ward:

Ashwood Design Brampton & Fellside

Associates Ltd

Location: Garth House, Greenfield Lane, Brampton, CA8 1AY

Proposal: Replacement Of Existing Windows (LBC)

Date of Receipt: Statutory Expiry Date 26 Week Determination

REPORT Case Officer: Stephen Daniel

1. Recommendation

1.1 It is recommended that this application is refused.

2. Main Issues

2.1 The Impact Of The Proposal On The Listed Building

3. Application Details

The Site

- 3.1 Garth House is a large detached Grade II Listed property which dates from the 1830s. The property sits within its own grounds and includes a detached property "Garth Cottage" and "Garth Studio" (attached to Garth House via a covered walkway) which are used as holiday accommodation. There are a number of mature trees to the front of Garth House, that are subject to Tree Preservation Orders.
- 3.2 The existing dwelling has 33 single glazed timber windows, which vary in size, with the largest being 1.2m in width by 3m in length. It is evident that most (if not all) of the original windows have been periodically repaired over

- the years with decayed material conservatively repaired or replaced. There is evidence of decay to some window components.
- 3.3 While the windows in general appear to be original to the house and hence late-Georgian in date, some windows have been replaced in their entirety. W16 is a modern top hung top panel, bottom panel fixed "sash lookalike" window. W17, W27, W32 and W33 are more modern design sash windows with narrower width sashes and with more modern wider "late 19th Century" glazing bars and mouldings. Few window sashes operate fully due to "paint build-up" and warping/twisting, and some have broken sash cords. Some windows do not open at all therefore limiting inspection.

The Proposal

- 3.4 Following the inspection of the existing windows, the applicant has concluded that the existing windows are beyond reasonable repair. The window frames and sashes show deterioration because of water penetration with rot clearly evident. If left unattended this could eventually lead to water penetrating the interior of the property, causing further wood rot and water damage.
- 3.5 It has been concluded by the applicant that the property would benefit from new windows which he maintains would replicate the existing, so they are similar in appearance to protect the overall character of the property. It is proposed that the new windows would be manufactured using "Accoya" wood for maximum longevity and would incorporate double glazed units to improve the comfort within the property and to reduce energy wastage and emission of "greenhouse" gasses. The proposed double-glazed units would comprise two panes of 4mm glass (Planitherm Total+ outer pane) with an 8mm Krypton filled cavity between which would provide a U-value through the glass of 1.2W/m2K.
- 3.6 Consideration was given to upgrading and restoring the existing window units but it was concluded by the applicant that the thermal performance of the existing windows would not be improved significantly by draught-proofing or secondary glazing. Due to the presence of existing timber shutters, the applicant considers that the option of secondary double glazing would prove impracticable.
- 3.7 The submitted Heritage Statement notes that the proposals aim to:
 - ensure a safe and secure environment.
 - promote the enhancement of the built environment using high standards of design and the careful choice of sustainable materials.
 - reduce the dwelling's carbon footprint and energy use using thermally efficient glazing.
 - provide modern living comfort without harming the character of the heritage asset.
 - maintain and secure the property through replacement of the existing windows eg by ensuring that water cannot penetrate the property and cause damage.

- 3.8 The Heritage Statement concludes that:
 - there are clearly identified significant defects in the existing timber windows which if left unattended, would be detrimental to the fabric and future of the existing heritage asset.
 - the general finished appearance of the replacement units would sympathetically replicate those which currently exist whilst bringing modern benefits in terms of thermal efficiency, security, and sustainability.
 - the proposal would have a minimal influence on the character of the surrounding environment and the area sense of the place.
 - the overall minimal impact to this heritage asset is outweighed by the benefits that the sympathetic modernization and maintenance secures the buildings future and condition for future generations to enjoy.
- 3.9 The applicant has submitted some supplementary supporting information in response to concerns raised by the Council's Heritage Officer. This is summarised below:
 - the proposal aims to make the building more environmentally friendly by reducing carbon emissions which would come as a result of improved thermal efficiencies of double-glazed windows. This should be considered more important than the minimal alteration to the appearance of the window units:
 - Historic England has been consulted as a statutory consultee who have confirmed in their view the council 'do not need to notify or consult us on this application under the relevant statutory provisions';
 - renewed draught stripping could be undertaken but this would not vastly improve the thermal performance of the window units. Although some draught stripping could be improved there are no major draught problems so changing these would be of little benefit;
 - shutters can and are closed to conserve heating, however, these are antiquated in terms of modern-day living and thus are only used during the hours of darkness. The loss of natural daylight negatively impacts upon the end user for which the dwelling was originally intended for;
 - secondary glazing is not practicable where existing shutters are to be retained. If there were no shutters, then secondary glazing may be considered but feel that these would constitute significant harm to the building fabric with minimal improved thermal efficiencies resulting in little to no public benefit;
 - thermal drapes in the main would have to be fitted to the face of the window reveal as not to interfere with the shutters. Since most of the internal radiators are on the inside of the window reveal this would mean that any drapes would hang on the wrong side of the radiators and thus increase the heat loss through the glass. Some radiators are below the actual window and not in the reveal, in these instances the drapes would sit on top of the radiators rendering the radiator inefficient. Any drapes even if fitted could only be used during the hours of darkness otherwise they would reduce the natural daylight and impact the health of the occupants;
 - from a distance, it would not be visually evident that the replacement windows were double glazed so consider this would not result in a different appearance to the building.
 - the proposed thermally efficient window systems would provide substantial public benefit by way of reducing carbon emissions, a significant public

benefit compared to the retention of a particular element of the building fabric only visible to people within the grounds of the building and a matter of feet away;

- the council's response confirms that the proposals constitute 'less than substantial' harm to the property and the proposal offers significant public benefit now and for future generations;
- the existing single glazed timber window units only have a u-value of approximately 4.8 w/m²k. The proposed double glazed timber window units would achieve a much improved 1.8w/m²k, a substantial improvement of 3.0w/m²k over the existing windows;
- the CO2 emissions would be reduced by approximately 20% per year by using double glazing;
- the proposals are not to gain financially through cost savings on heating bills but more to play a part in the reduction of greenhouse gases and carbon emissions now and for years to come;
- the applicant accepts that the overall cost of the window replacements would not be recouped in the immediate future or even anytime within his or his children's life span as the actual cost of replacement is approximately £100,000 but leaves a legacy on the building that shows action was taken where technology and progression reasonably allow;
- Carlisle City Council Planning Application 19/0291 (Study Quiet, Rickerby)
- Replacement Of 5no. Windows With Timber Slim-Line Double Glazed Sliding Sash Windows (LBC). The above application was approved by Carlisle City Council in 2019. An objection was made by the Conservation Officer during the course of the application, but the application was approved by a delegated Officer decision. In summary, the case officer comments that 'In overall terms, the proposal would not adversely impact on the character of the listed building. The proposed alterations are designed to cause "less than substantial harm" to the heritage asset and are designed to upgrade and enhance this listed property. The proposal causes "less than substantial harm" whilst sustaining and enhancing the special historic, architectural interest of the subject site and preserving the identified elements of significance. In all aspects the proposals are considered to be compliant with the objectives of the relevant local plan policies.' It is noted that the current planning application at Garth House is also considered to cause "less than substantial harm" in the views of the Conservation Officer. Therefore, it is considered that this application should be determined in a similar manner:
- Carlisle City Council Planning Application 20/0096 (1 Etterby Scaur, Carlisle) Replacement of 7 single glazed windows with double glazing. The above application was approved by Carlisle City Council in 2020. It was an Officer delegated decision to approve the double glazing, with Conservation Officer support. In the summary of the delegated report, it states 'It is generally accepted, especially in the context of energy conservation, that the introduction of double-glazed windows and doors in historic buildings is likely to be agreeable, as long as proposals entail appropriately designed items.' This is also identical reasoning for the Garth House application;
- consistency should be applied in the determination of planning applications, and it is considered that this should lead to the current application being approved;
- Carlisle City Council Planning Application 19/0900 (1-5 Portland Square &

- 4 Alfred Street North, Carlisle) Refurbishment and Redevelopment to provide 15no. Dwellings (LBC) . In the Heritage Statement for the above application, the redevelopment proposes the inclusion of double glazed windows in the terrace of Listed Buildings. The statement includes the following on this point 'A central aim of the refurbishment is to improve thermal efficiency of the building and in particular the poor single glazed windows. The windows are currently in a poor condition, many of which need either extensive renovation or replacement. The replacement of the windows with new inset heritage timber sash style with double glazed units will transform the thermal performance of the building and will bring the building closer to modern efficiency targets with limited visual impact.';
- Eden District Council Planning Application 20/0676 (Ivy House Farm, Garrigill, Alston) Listed Building Consent for the replacement of single glazed timber windows with double glazed units. The above application was approved by Eden District Council in 2020 by a delegated decision, approving the replacement of single glazed timber windows with sliding sash double glazing in a Listed Farmhouse building;
- Eden District Council Planning Application 20/0734 (1 Wayside Terrace, Calthwaite, Penrith) Listed Building Consent for the replacement of doors and windows (double glazing). The above application was approved by Eden District Council in 2020 by a delegated decision, approving the replacement of single glazed timber windows with double glazing in a Listed terraced dwelling.
- Eden District Council Planning Application 21/0175 (Inglenook Cottage, Berrier Road, Greystoke, Penrith) Listed Building Consent for the replacement of timber single glazed windows with timber double glazed. The above application was approved by Eden District Council in 2021 by a delegated decision, approving the replacement of single glazed timber windows with double glazing in a Listed residential cottage;
- the applicant is committing to bold action to tackle climate change and play their part in addressing the current climate emergency. In 2017, Garth House was fitted with a state of the art Bio mass heating system which generates sustainable heating and hot water. This investment was at a cost of over £100,000 and undertaken to reduce future energy costs as well as fulfilling the applicant's personal ambitions to be environmentally friendly. However, the efforts of producing sustainable energy are being lost through the single glazed window units.
- the works should be considered exceptional based on outweighing public benefit from the reduction of carbon emissions with less than substantial harm to the designated heritage asset.

4. Summary of Representations

4.1 This application has been advertised by means of site and press notices as well as notification letters sent to six neighbouring properties. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Brampton Parish Council: - support the proposal - the suggested alternative

windows were impractical; proposed quality replica window should last over 100 years; proposed windows are eco friendly;

Historic England - North West Office: - does not need to be consulted on this application.

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- The relevant planning policies against which the application is required to be assessed is the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG), Section 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and Policies HE3 and SP6 of the Carlisle District Local Plan 2015-2030.
- 6.3 The proposal raises the following planning issues.
 - 1. Impact Of The Proposal On The Listed Building
- 6.4 Garth House is a Grade II listed building and the list description states:
 - House. 1830's. Red sandstone ashlar with rusticated quoins, dentilled cornice, slate roof, brick chimney stacks. 2 storeys, 3 bays. Garden front has 2 projecting canted bay windows with moulded cornice and blocking course, sashes with and without glazing bars. Entrance front of 2½ storeys, has prostyle lonic porch, panelled door with glazed fanlight. Sash windows with glazing bars have moulded surrounds, central windows with projecting hoods on console brackets. Pedimented gable. Single storey extension to right of contemporary date.
- 6.5 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that:
 - "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- 6.6 Policy HE3 of the adopted Local Plan seeks to ensure that listed buildings and their settings will be preserved and enhanced. Any harm to the significance of a listed building will only be justified where the public benefits

of the proposal clearly outweighs the harm. The policy goes on to state that applications for works to listed buildings including alterations must have regard to "the preservation of the physical features of the building, in particular scale, proportions, character and detailing (both internally and externally) and of any windows and doorways".

- 6.7 Para 193 of the NPPF states that "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 (and the more important the asset, the greater the weight should be) This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". Paragraph 196 states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use". Para 191 states that "Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision".
- The Council's Heritage Officer has been consulted on the application and objects to the proposals. Garth House is a sandstone late Georgian house. It is two storeys, and 3 bays, with generally 6 over 6 sash windows to the building. The listing recognises the national significance of the building.
- 6.9 Application 89/0953 'Renovation of Windows' LBC was approved in 1989, an application which recognised the value of the existing generally original windows, but allowed for their draft stripping with a ventrolla system. The proposed works are the replacement of all existing windows to the building and their replacement with double glazed timber windows. The submitted Heritage Statement concludes that "The general finished appearance of the replacement units will sympathetically replicate those which currently exist whilst bringing modern benefits in terms of thermal efficiency, security, and sustainability". However, it is clear from the details of the application that the visual quality of the existing windows, and indeed general appearance would not be matched by the proposed units, nor would any doubled glazed unit achieve this.
- 6.10 The existing and proposed drawings shows the clear disparity between existing and proposed, with the proposed double glazing units held in place externally by timber beaded sections to the perimeter, and with 'planted on' wooden glazing bars in contrast to the projecting feather with puttied perimeter of the existing individual panes. In contrast to the individual hand made panes which give a subtle diversity of reflection and visual interest, the proposed works would be for a single large double glazed pane, with internal spacers, giving a flat and uniform appearance to the window, relieved of the interest of the original.
- 6.11 The Heritage Statement shows in several examples, notably W23, the finesse of the existing Georgian joinery, which the proposed works would eradicate and only crudely imitate. The proposed windows make no effort to

match the existing detailing, and internally fine lambs tongue mouldings are replaced with crude modern sections. No reference is made in the application to the value of existing glazing and joinery, and the substantial gulf between what is there at present in most of the windows, and the proposed general arrangement and detailing.

- 6.12 Regarding justification for the works, the Heritage Statement refers to the decay of various portions of the windows, notably cills, and the accumulation of debris in the 1989 draft proofing system. It is entirely expected that if not well maintained, cills and other exposed elements will deteriorate, and it would be entirely normal for areas such as this to be conservatively repaired through the cutting out of affected material and the scarfing in of new wood. If cills are relatively modern, these would be likely to be of less robust timber than the body of the window, and deterioration should be expected.
- 6.13 Aspects such as the painting shut of windows, significant over-painting of the glazing (W17) and rot to cills, illustrate that the windows have not been maintained to their optimum. Any assessment of the application should have regard to the NPPF Chapter 16 para 191 Which states that "Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision".
- 6.14 The City Council has published guidance on 'Doors and Windows in Historic Buildings – a guide for owners and occupiers for listed buildings and conservation areas'. This clearly states that windows and doors are an important part of a historic building and that their loss or compromise reduces the historical value of the building and erodes its character and significance. The guidance states on p6 that they represent a finite resource which cannot be replaced, and where even replacement to the original design will only be considered as a last resort and where they are beyond practicable repair. There is no suggestion that in a listed building double glazing would be acceptable as replacement of existing period joinery. This local guidance reflects that of Historic England (HE), which is clear that "Historic windows of interest should be retained wherever possible using careful matching repair. Their complete replacement should be a last resort and is rarely necessary. If repair is beyond the skills of a good joiner or metal worker, an accurate copy should be made".
- 6.15 Further detailed advice was given in the HE publication 'Traditional Windows Their Care, Repair and Upgrading' which states that "The loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing make an important contribution to the significance of historic areas. They are an integral part of the design of older buildings and can be important artefacts in their own right, often made with great skill and ingenuity with materials of a higher quality than are generally available today. The distinctive appearance of historic hand-made glass is not easily imitated in modern glazing. Windows are particularly vulnerable elements of a building as they are relatively easily replaced or altered. Such work often has a profound affect not only on the building itself but on the appearance of street and local area."

- The proposed double glazing would result in a different appearance to the building, with crudely detailed and broader glazing bars and a loss of the variation and visual interest which individual handmade panes achieve. This loss, if allowed, would constitute 'less than substantial' harm but with no outweighing public benefit that could not be achieved by other more conservative means e.g. renewal of the ventrolla draft stripping, and or the use of existing shutters in conjunction with thermal drapes. Historic fabric would be irretrievably destroyed and the value of the building diminished. Conservative repair to the windows could be carried out by an agreed method statement from a competent joiner, agreed in writing with the planning authority and need not require Listed Building Consent. Windows can be brush-sealed and secondary glazed (subject to any impacts on shutters) without requiring listed building consent.
- 6.17 The Councils Heritage Officer has been re-consulted on the additional information that the applicant has submitted in support of their proposals. He maintains his previous advice that the replacement of the period 1830s windows with double glazing of any variety (let alone the stick on glazing bars with timber trims as proposed) constitutes unacceptable harm to the listed building not outweighed by any public benefit.
- 6.18 The cases referred to by the applicant underline the damaging impacts of recent decisions, in particular to allow the loss of period windows at Portland Square, notably the replacement of multipaned Georgian sashes with top hung push out windows with applied glazing bars and at Study Quiet, Rickerby, in both instances against the Heritage Officer's professional advice. These instances of deviation from local and national planning policy regarding the protection of historic fabric show that additional to the loss of historic material in the form of glazing including crown or cylinder glass and period joinery, the material appearance of the building is adversely altered by double glazing. The reflectivity of double glazing is markedly different to single glazing, and clearly denotes machine-made material in contrast to the subtle variations of the historic product. These changes degrade the value and significance of the protected building.
- 6.19 There are a significant number of appeal decisions, supporting the retention of historic single glazed windows in listed buildings and indeed in unlisted buildings in conservation areas. More relevant examples to cite are:
 - 8 Battlebrow, Appleby in Westmorland, Cumbria (Grade II building)
 APP/H0928/E/10/2139799 the replacement of the existing wooden single glazed windows with wooden double glazed windows Appeal Dismissed
 Sparkett Mill, Hutton John, Ullswater, Penrith (Grade II building)
 APP/Q9495/E/11/2159045 the replacement of 6 modern windows with painted timber double glazed units to match the existing style Appeal Dismissed
- 6.20 It is acknowledged that the Council has allowed replacement timber double glazed windows in listed buildings. There was, however, reasoned justification for each decision and these are set out below:

- at Portland Square (19/0900) the existing windows had been subject to years of both inappropriate repair and under investment by the previous institution owner. It was considered that the replacement of the windows caused less than substantial harm to the buildings overall, with the public benefits of the scheme being the conversion of a large number of redundant listed former offices to high quality housing which will have an overall impact of increasing investment into this area of Carlisle.
- at the Study Quiet (19/0291 replacement of 5 windows) an appeal decision had been issued which was partly allowed and which granted consent for the retention of three upvc casement windows in the rear elevation; three windows on the side had very limited public aspects; and a large rear extension had been added to the property.
- at Etterby Scaur (20/0096 replacement of 7 windows in existing frames) the Heritage Officer did not object to the proposed replacement windows as the retention of the existing joinery, ironmongery and traditional external finish (fillets of mastic/proprietary putty) mitigated to some extent the loss of the glazing. The works had already been executed at an unknown date and the large format of the windows (being 1 over 1 large paned windows) is an entirely different scenario to the proposed replacement of multipaned Georgian windows.
- 6.21 The current proposal is not comparable to any of the above cases. It is seeking to replace 33 windows that dated from the 1830s with double glazed units. It is accepted that this would improve the energy efficient of the property but this is not considered to override the harm that the proposal would create to the building due to the inclusion of crudely detailed and broader glazing bars and a loss of the variation and visual interest which individual handmade panes achieve. This loss would constitute 'less than substantial' harm but with no outweighing public benefit that could not be achieved by other more conservative means e.g. renewal of the ventrolla draft stripping, and or the use of existing shutters in conjunction with thermal drapes; windows can be brush-sealed and secondary glazed (subject to any impacts on shutters) without requiring listed building consent.

Conclusion

6.22 The proposal to replace 33 period windows that date from the 1830s with double glazed units with false applied glazing bars would have an adverse impact on the listed building. The proposal would, therefore, be contrary to Policy HE3 of the adopted Local Plan, Paragraphs 193 to 196 of the NPPF and Sections 16 and 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.

7. Planning History

- 7.1 In November 1989, Listed Building Consent was granted for renovation of windows (89/0953).
- 7.2 In April 2013, planning permission was granted for the erection of 5no.

dwellings within the garden of Garth House (12/0811).

- 7.3 In September 2017, planning permission and Listed Building Consent were granted for the erection of a garden room together with internal and external alterations; formation of new vehicular/pedestrian access and installation of gates at Garth Cottage, which lies within the grounds of Garth House (17/0622 & 17/0623).
- 7.4 In October 2017, planning permission and Listed Building Consent were granted for alterations to existing coach house including installation of a biomass boiler to provide ancillary accommodation to first floor together with formation of new vehicular/pedestrian access and installation of gates (17/0757 & 17/0758).
- 7.5 In October 2018, planning permission was granted for the erection of 2no. dwellings including garden and parking areas (18/0822). This application was varied in September 2020 (20/0499).

8. Recommendation: Refuse Permission

1. Reason:

The proposal is seeking to replace 33 existing single glazed 1830s timber windows with timber double glazed units. The proposed double glazing would result in a markedly different appearance to the building, with crudely detailed and broader glazing bars and a loss of the variation and visual interest which individual handmade panes achieve. The proposed windows would have a single large double glazed pane, with internal spacers, giving a flat and uniform appearance to the window, relieved of the interest of the original. The loss of the original windows would constitute 'less than substantial' harm but with no outweighing public benefit that could not be achieved by other more conservative means e.g. renewal of the ventrolla draft stripping, and or the use of existing shutters in conjunction with thermal drapes; windows could be brush-sealed and secondary glazed (subject to any impacts on shutters) without requiring listed building consent. The proposal would, therefore, be contrary to Policy HE3 of the adopted Local Plan, Paragraphs 193 to 196 of the NPPF and Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.



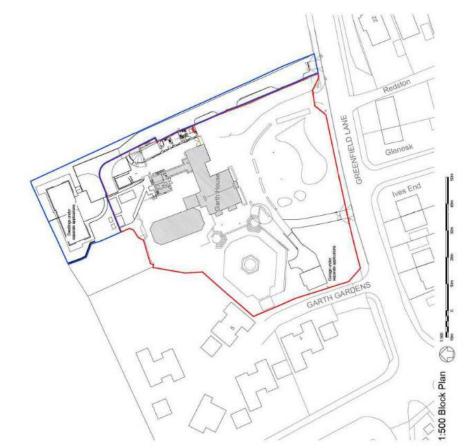
Planning

Mr. G McGregor

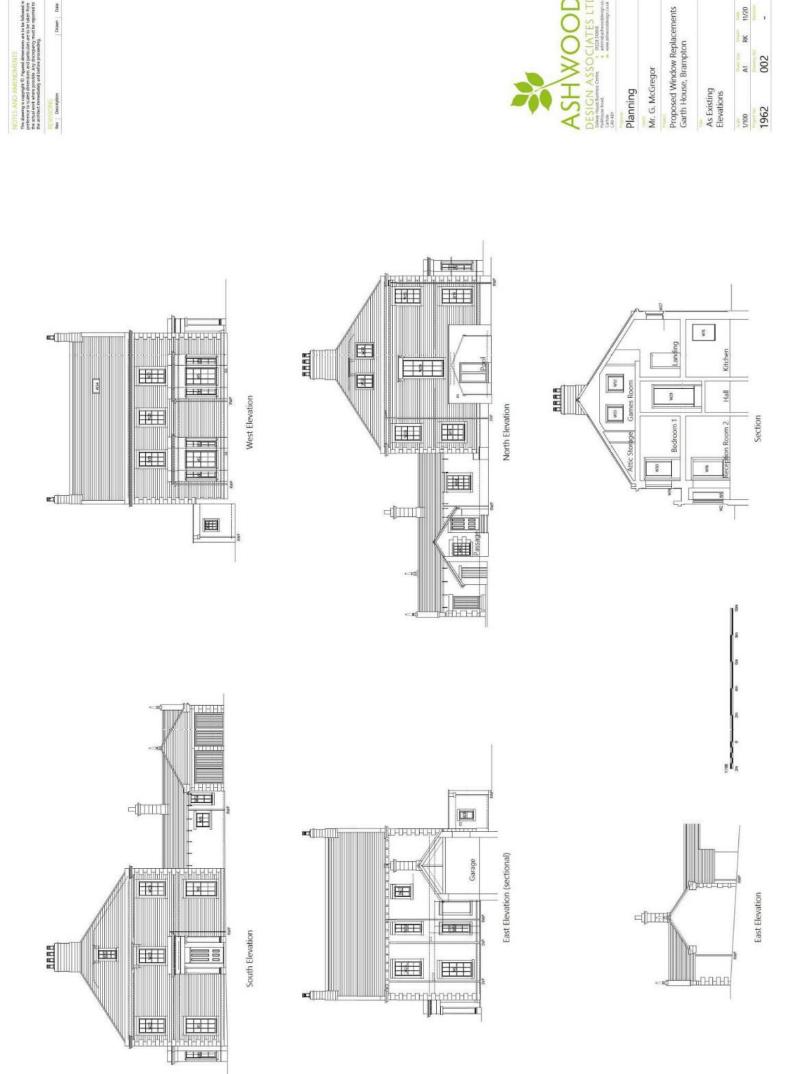
Proposed Window Replacements Garth House, Brampton

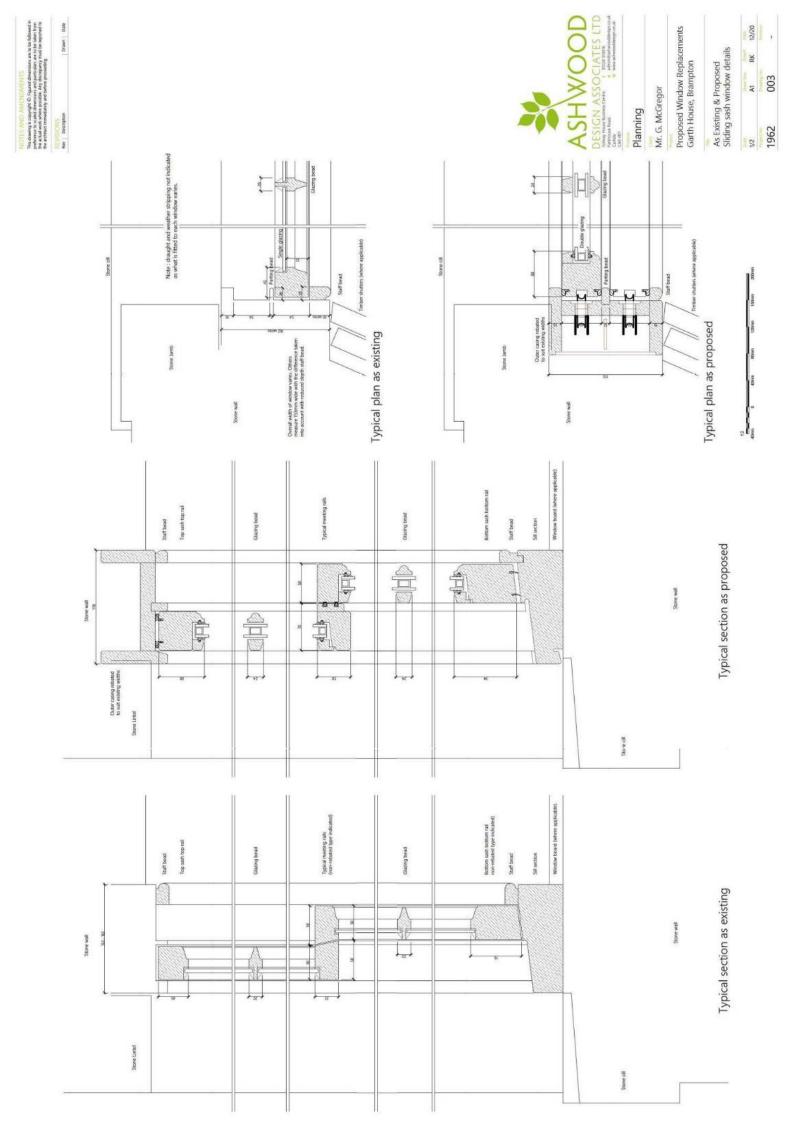
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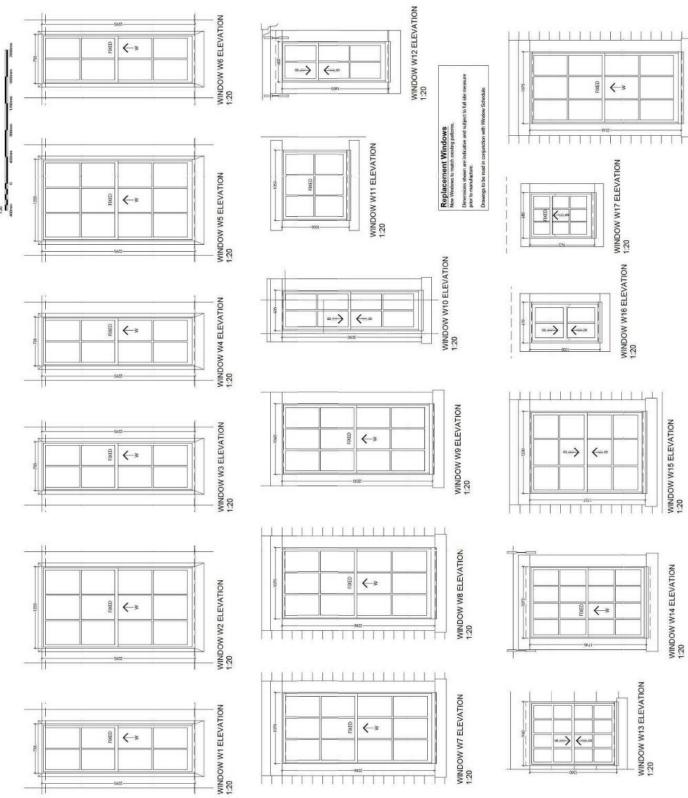
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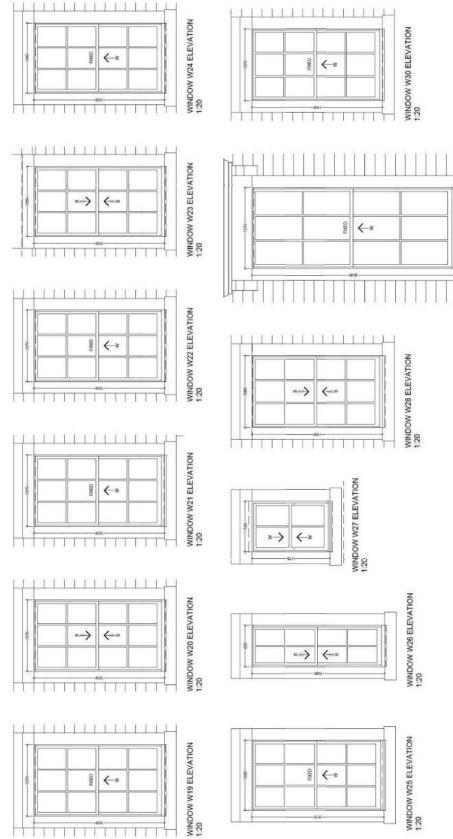


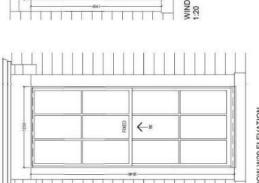


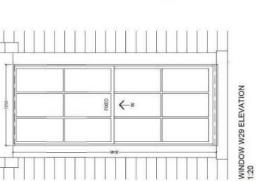


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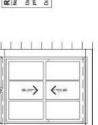




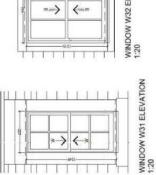








New Windows to match existing patterns.
Dimensions shown are indicative and subject to full site ownsi- prior to manufacture.
Drawings to be read in conjunction with Window Schedule.









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Proposed Window Replacements Garth House, Brampton

Mr. G. McGregor Planning