

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition of a
Listed Building

REF NO: AB/50/21/L

LOCATION: Old Bank House
1 High Street
Arundel
BN18 9AD

PROPOSAL: Listed building consent for the replacement of all windows with new timber double glazed sliding box sash windows and the proposed rendering of the South Elevation (front) and the West Elevation (side) with render painted white.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The replacement windows would be traditional timber sliding box sash windows with double glazed units in a heritage style. Window detail drawings are included. The rendering of the front elevation will cover existing brickwork that has been painted. The windows will be double glazed in order to improve the thermal efficiency of the building as part of its conversion. The rendering of the front and side elevations is required to cover up poor quality brickwork that has been previously rendered and removed.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The premises is located on the back edge of the pavement.
SITE CHARACTERISTICS	Old Bank House is a late C18 terraced house located on the High Street with southern and western elevations facing on to the High Street. The elevations are of brick construction and there is a brick modillion cornice. It has a hipped slate roof along with a red brick chimney. It is of 3 storeys with attic and basement. The site is formally known collectively with no 1 as the Old Bank House. The building has timber sash windows with dormer windows on the top floor. The building forms a pair with number 3 High Street (which is not identified as being listed) and together they form an office building at the present time. The properties are joined by connecting corridors on the ground and second floors.
CHARACTER OF LOCALITY	Town centre location comprising a mix of residential, retail, restaurant and commercial uses.

RELEVANT SITE HISTORY

facilitate the change of use of existing building from office 20-01-21
(Class E) to residential dwelling (Use Class C3) .

REPRESENTATIONS

Arundel Town Council - Objection

- Adverse effect on the street scene.
- Windows should be in original style using secondary glazing rather than replacement double glazing.

Conservation Area Advisory Panel - Objection

- Building is prominent in the townscape and makes a positive contribution to the character and appearance of the conservation area.
- The traditionally constructed multi-paned vertically sliding sashes are critical to its design and contribute to its heritage significance. The lack of horns means that it is most likely that some of the windows date from at least before 1840/1850.
- The replacement of this important fenestration with timber double glazed windows with their thicker glazing, dead flat appearance to the glass, and thermal spacers and edging will materially detract from the historical and architectural significance of this listed building. It is difficult to ascertain from the submitted plans how glazing bars, will be treated. It is either intended to use false 'stick on' bars or to use properly formed bars but these would need to be thicker than the originals in order to take the extra weight of the double glazing (this would also likely be the case even with slimline double glazing units). Either detail is simply not appropriate since the existing traditionally constructed slender glazing bars are so important to the character and appearance of the historic building.
- The wholesale replacement of the existing windows represents a substantial loss of historic fabric.
- The nationally accepted approach is that repair should be explored first before the decision to replace and there is ample advice given by Historic England in its various publications. This issue is not addressed in the Heritage Statement. Considerable advice is also given by Historic England on the various methods of thermally insulating historic buildings without recourse to double glazing.
- Without detailed proposed full elevational plans of the various window sizes contained in the building it is difficult from the plans submitted to ascertain final appearances.
- The works of replacement with double glazed units are totally unacceptable.
- Given how critical the appearance of the existing windows are to the heritage significance of the building there will be substantial harm. if it is considered that the works give rise to less than substantial harm the only possible public benefit which could be considered would be the better thermal insulation of the building but there are other, more appropriate, ways of achieving this without recourse to double glazing.
- The replacement windows works adversely affect the character and appearance of the building and also that of the conservation area.
- The works fail to comply with the relevant paragraphs of the NPPF and policies contained in the ADLP relating to the protection of designated heritage assets.
- In respect of the proposal to render the south and west elevations the building did have stuccoed facades and this must have been removed shortly after or at the time of its listing in 1974. If the Council consider it acceptable to render the facades, then it needs to be undertaken in accordance with best historic building practice.

COMMENTS ON REPRESENTATIONS RECEIVED:

These are addressed in the conclusion section of this report.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Officer - Objection

The west elevation of 1 Old Bank has 2 ranges of double-hung sash windows with glazing bars, whilst the south elevation has 2 ranges of double hung sash windows with glazing bars on 1st and 2nd floors. Doorway up 4 ashlar steps with Tuscan columns, dentilled pediment and panelled reveals to a door with 6 fielded panels and oblong fanlight. 1 attic dormer with double-hung sash window with glazing bars.

The south elevation of 3 has 2 ranges of double hung sash windows with glazing bars on the ground, 1st and 2nd floors. A new front door opening is required to gain access to the new residential unit.

The building is in the Arundel Conservation Area, with a number of other listed buildings in the immediate local area. Buildings front directly on to the pavement and form a cohesive, attractive group. Old Bank House is in a prominent location and can be viewed from the public gardens and riverside opposite but also from the nearby river bridge.

The Proposals

Replacement of all of the windows with new timber double glazed sliding box sash windows

Windows are an important part of a building's history and can be invaluable to our understanding of historic properties. They can tell us not only of changing architectural taste but social hierarchy, building economics, technical advances and social history through taxation of windows and building materials. Above all, windows are a key part of the architectural composition of a building, and help to establish the character of a house or building. It is considered that the existing traditional windows which include slender glazing bars play an important role in the character and appearance of historic buildings such as this and the neighbouring one.

The wholesale replacement of windows represents a substantial loss of historic fabric, where the initial approach should be to repair existing ones. It is not clear if any information has been provided which indicates the condition of the windows or if they are beyond repair. This information should be provided.

The desire for more thermally efficient windows is accepted, but double glazing is not always appropriate for a listed building. Guidance from historic England states that if windows are modern and do not contain any historic glazing, or in fact would replace more modern, inappropriate ones, there is potential to consider the use of double glazed units in a listed building. However, such units would have to be of a heritage style and not those used in standard windows.

The proposal is for timber windows which include 24mm double glazed units. Whilst a number of plans have been provided, they do not provide full elevational details which makes it difficult to understand what their appearance would be. This is especially true of the ground floor windows where there is an additional fixed sash. Would they be the same or different? Unfortunately, it is not clear.

The use of standard double-glazed units will not only increase the perception of modern, standard windows, but also affect the design of the windows themselves. This would harm the character and appearance of the listed building

It is difficult to understand from looking at the information provided how any glazing bars, if any, will be treated. Traditionally, where windows have glazing bars, these form part of the structure of the window.

There are two approaches that could be used: to use glazing bars that are applied to one pane of glass or to use properly formed bars, but these would need to be thicker than the originals in order to take the extra weight of the double glazing (this would also likely be the case even with slimline double-glazed panes due to their size). False glazing bars applied to the surface of the window are therefore historically incorrect, and aesthetically unconvincing. The use of applied glazing bars is therefore not appropriate for a listed building and should be integral to the windows.

Proposed rendering of the South Elevation (front) with render painted white.

The southern elevation to number 3 is painted an off-white/cream colour, whereas the neighbouring one is exposed brick.

It would help to have historical information to confirm the presence of historical render on this elevation. It is not clear how existing details such as the brick dentil course at eaves level will be treated as part of the process of applying render, or what materials will be used in this traditional property. This needs to be confirmed as the process could negatively impact the building and features and cause harm.

At present, based on the lack of information provided, the impact has to be considered as causing some harm.

Conclusion

The proposal is such that the impact can be described as causing less than substantial harm in accordance with paragraph 196 of the NPPF (2019). As such, you will need to consider the public benefits that the development may achieve as part of your assessment of the application, along with the contents of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Listed Building

Within Built Up Area Boundary

Conservation Area

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

HERSP1 HER SP1 The Historic Environment

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority 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."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal is considered to conflict with these criteria in that the alterations are considered to materially affect the character of the Grade II Listed Building and the character and appearance of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

POLICY BACKGROUND

Policy HER DM1 sets out criteria for assessing proposals which affect Listed Buildings. These criteria must be met in order for the proposal to be acceptable. These include preservation or enhancement of the building and its setting. Policy HER SP1 states that planning permission will be granted for development that conserves or enhances the historic environment.

IMPACT ON HERITAGE ASSET

The application includes a heritage statement (in the Design and Access Statement) in accordance with Paragraph 189 of the NPPF which requires applicants to describe the significance of any heritage assets affected. The level of detail should be proportionate to the asset's importance. Paragraph 190 states that Local Planning Authority's are required to identify and assess the particular significance of any heritage asset that may be affected by a proposal taking into account any necessary expertise. The comments of the Conservation officer and Conservation Area Advisory Panel have been sought and both objected. The amount of information submitted in support of the proposal is limited. There is conflict between the heritage asset's conservation and the proposal as set out below. The proposal would impact windows and elevation treatments both of which are highly visible, the removal of historic fabric is not limited, the justification for wholesale replacement of all windows, rather than repair is not adequately justified and the appearance of the building would be inappropriately altered. There is conflict between the heritage asset's conservation and both aspects of the proposal. The proposal conflicts with para 190 of the NPPF. Windows are a key part of the architectural composition of a building, and help to establish the character

of a house or building. It is considered the existing traditional windows which include slender glazing bars play an important role in the character and appearance of historic buildings such as this and the neighbouring one and their replacement would require clear justification and adequate detailing which have not been provided with the proposal.

Paragraph 193 requires 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 irrespective of the scale of harm identified. Paragraphs 194 - 196 of the NPPF require optimum use for public benefits. It is considered that there is insufficient public benefit accruing from the alterations, such as thermal efficiency, which could be achieved by other means.

With regard to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) which requires the Local Planning Authority to have special regard for the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses, the proposal does result in harm to the appearance of the Listed Building and the proposal is considered to conflict with policy HER DM1 of Arun Local Plan. This proposal includes alterations to the listed building which do not preserve or enhance the historic character and are detrimental to the architectural detailing of the building's exterior. The proposal would significantly alter the appearance of the building and the works have not been sufficiently justified.

The proposal adversely impacts on the conservation of the heritage asset and results in harm and therefore conflicts with policies HER DM1 and HER SP1 of Arun Local Plan and the NPPF.

SUMMARY

It is considered that the application is not in accordance with the relevant policies in the Development Plan, and therefore it is recommended that Consent is refused.

HUMAN RIGHTS ACT

The Council in making a decision, should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (Right to respect private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

REFUSE

- 1 Based on the limited information submitted it is not sufficiently evidenced that the number of replacement windows is necessary, that the existing windows are beyond reasonable repair or that the proposed double glazed replacement windows would not detract from the character and appearance of the Listed Building in conflict with policy HER DM1 of Arun Local Plan and the NPPF.
- 2 Given the lack of historical information to confirm the presence of historical render on the south elevation and lack of detail relating to proposed materials and treatment of the existing elevation detailing such as the brick dentil course at eaves level, as part of the process of applying render, the Local Planning Authority is not satisfied that proposal would not negatively impact the character and appearance of the listed building in conflict with policy HER DM1 of Arun Local Plan and the NPPF.
- 3 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.