

4.7 - SE/12/00571/LBCALT Date expired 27 April 2012

PROPOSAL: Replace existing single glazed windows with white painted wooden double glazed windows.

LOCATION: 10 St Ediths Road, Kemsing TN15 6PT

WARD(S): Kemsing

#### ITEM FOR DECISION

This application was originally reported to the Development Control Committee on 24 May 2012. It was called to Committee by Councillor Stack as she believes the weight being given to the justification for doing the work is inappropriate and therefore disagrees with the recommendation. The application was deferred so that further information could be submitted by the applicant regarding the need to replace the windows.

**RECOMMENDATION:** That listed building consent be REFUSED for the following reasons:-

The Local Planning Authority is not satisfied the need for the replacement windows has been demonstrated to be appropriate for the listed building as supported by the National Planning Policy Framework.

#### Introduction

- 1 This application was deferred from the May Committee (Appendix A – previous report) for the submission of a conditions survey of the windows to be replaced by the applicant. This report has now been received and the report is attached in Appendix B for Members' information.

#### Comments from SDC Conservation Officer on Report from Gulliver Timber

- 2 It is interesting to note that the company does not actually make any recommendations on individual windows. The majority of the windows appear to have wet rot, whilst the remaining sashes are swollen. This is in part consistent with my own conclusions.
- 3 No indication is given as to whether these windows can be repaired, as all conservation guidance and principles advise, but the report concludes with a 'catch all' phrase about an assumed desire for uniformity not supported by any rational argument. This demonstrates, in my view, a lack of understanding or knowledge of conservation principles.
- 4 Many listed buildings have been extended over the centuries, resulting in elements of different eras, styles and details, including windows. These become part of the history and evolution of the building and to make alterations introducing uniformity both loses historic fabric and damages the overall character. Thus uniformity is neither required nor desirable.
- 5 If only one window in a listed building needs to be replaced because it is beyond repair then this is not an argument for condemning all the windows in that

building. Perfectly sound or readily repaired timber frames should not be discarded for the sake of installing new material. This is not sustainable on any reasonable terms or as required by the NPPF (especially paragraphs 132 and 133), EH Conservation Principles (paragraph 149 in particular) or the Practice Guide to PPS5. Paragraph 179 of the latter document for example states:

- 6 'The fabric will always be an important part of the asset's significance. Retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion, together with the use of appropriate materials and methods of repair. It is not appropriate to sacrifice old work simply to accommodate the new.'
- 7 There would be no public benefit resulting from the works proposed and indeed considerable historic fabric would be lost and the overall character of the listed building damaged. My recommendation for refusal of consent therefore stands.

#### Officer's further appraisal

- 8 As set out in paragraph 23 of the previous committee report there needs to be a clear and convincing justification for the replacement of the historic fabric of a designated heritage asset.
- 9 The applicant has submitted a report from Gulliver's, who are a timber treatment specialist. The report does not deal with the windows individually but has grouped them by their rooms. Therefore it is not apparent to the individual condition of each and every window. It implies that the condition of every window in each room is the same.
- 10 The report does not discuss any possibility of repairing the windows, just simply referring to the need to replace the windows. The report does make reference to "*all the single windows are liable to condensation, which in turn will cause further decay*". This seems to imply that single glazed windows are fundamentally flawed and need to be replaced rather than repaired. Single glazed windows are entirely appropriate and form part of the key characteristics of many many Listed Buildings.
- 11 The report has essentially been produced by a timber treatment specialist, rather a historic building specialist, as the possibility of repairs these historic windows have been disregarded.
- 12 The Gulliver's report concludes that there are two reasons why it is felt all the windows should be replaced are put forward;
- 13 The first reason stated is the improved energy efficiency of the dwelling. This was discussed in paragraphs 31-33 and paragraph 40 of the previous report. It was concluded that little weight could be given to this as other options to improve the energy efficiency of the property had not been fully explored. These options were outlined in paragraph 38 of the previous report, such as secondary glazing. The applicant has not advanced any additional information to support their position in this respect.
- 14 The second reason submitted by the applicant, is that replacing all the windows will keep a uniform appearance on the building. However there is no requirement for uniformity under any conservation, listed buildings or historic building policies. The reason why many properties are listed is in part due to their individual,

special and unique appearance, which again comes in part as to how they have evolved over time. So whilst practically this may seem the obvious solution to provide a uniform set of windows all existing at the time, this runs contrary to how many Listed Buildings have evolved over time, including this property.

- 15 Members now have a survey report of the condition of the windows in question, which shows that these windows are suffering from wet rot and/or are swollen. No assessment has been made that the windows can not be repaired and therefore this proposal will result in partial loss of this heritage asset through the loss of windows which are specifically referred to in the list description of this property in paragraph 3 of my original report. In particular I draw Members attention to paragraph 35 of my original report which deals with repairs guidance. The applicant has not submitted any further justification or evidence in support of case beyond that of the Gulliver's report

#### Conclusion

- 16 In light of my original report and the above considerations, my recommendation remains unchanged. Therefore Listed Building Consent application should be refused.

#### Background Papers

##### Site Plan

Contact Officer(s): Deborah Miles Extension: 7360

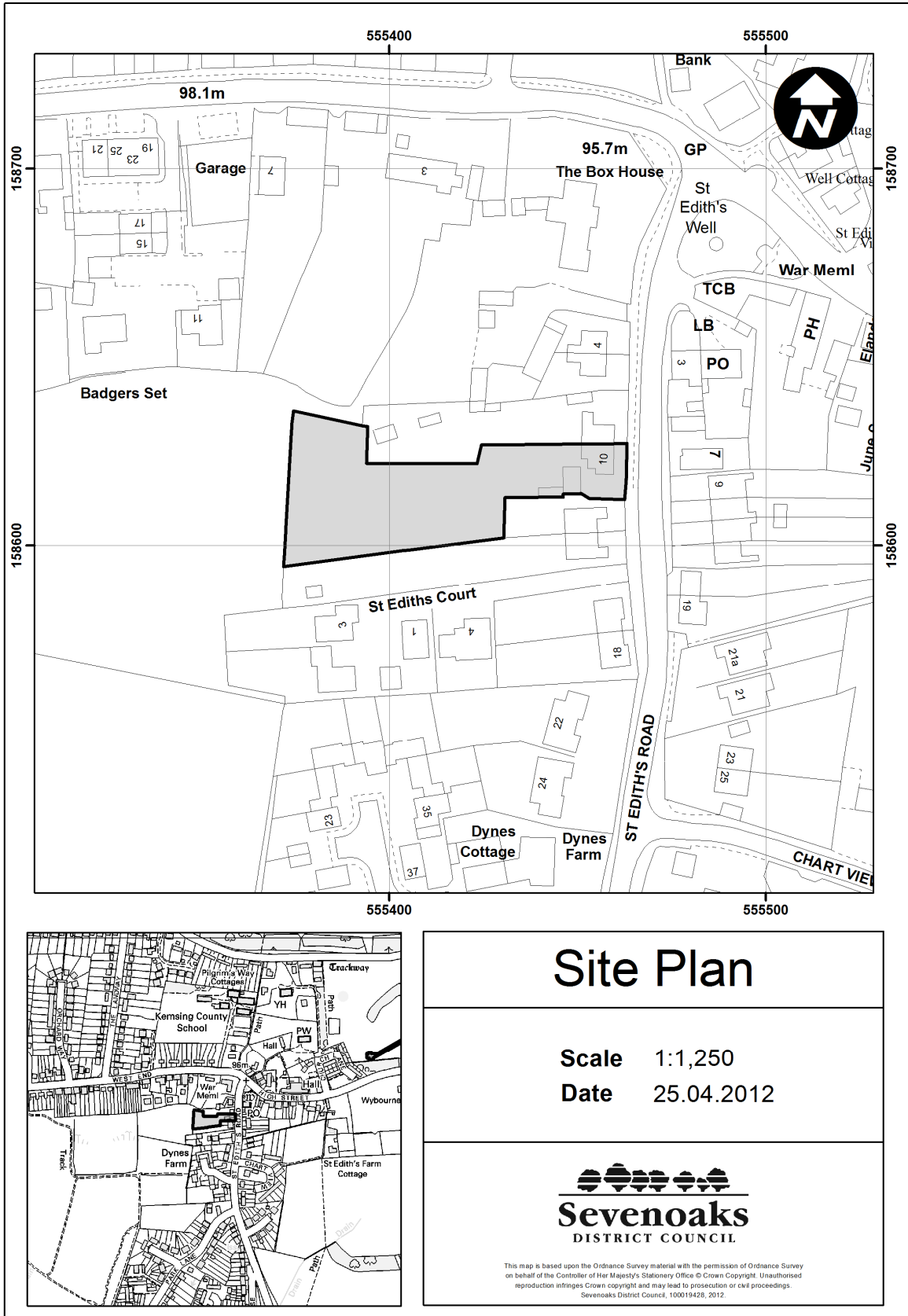
**Kristen Paterson**  
**Community and Planning Services Director**

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=M0KMGGBK0CR00>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M0KMGGBK0CR00>



# Site Plan

Scale 1:1,250  
 Date 25.04.2012



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 Sevenoaks District Council, 100019428, 2012.

## APPENDIX A

Development Control Committee: 24 May 2012

SE/12/00571/LBCALT Item No 5.08

5.08 - SE/12/00571/LBCALT Date expired 27 April 2012

PROPOSAL: Replace existing single glazed windows with white painted wooden double glazed windows.

LOCATION: 10 St Ediths Road, Kemsing TN15 6PT

WARD(S): Kemsing

### ITEM FOR DECISION

The application has been referred to Development Control Committee by Councillor Stack as she believes the weight being given to the justification for doing the work is inappropriate and therefore disagrees with the recommendation.

**RECOMMENDATION:** That planning permission be REFUSED for the following reasons:-

Due to the lack of information provided regarding the current condition of the windows the justification for the replacement has not been demonstrated to be appropriate for the listed building as supported by the National Planning Policy Framework

### Description of Proposal

- 1 The proposal is a resubmission of a previous refusal (planning reference SE/11/02325/LBCALT refers). The application was refused on the following grounds:

*Due to the lack of information provided regarding the current condition of the windows the justification for the replacement has not been demonstrated to be appropriate for the listed building as supported by Planning Policy Statement 5: Planning for the Historic Environment.*

- 2 The new application is to replace all the existing windows at the property with white painted wood double glazed windows. The property requires listed building consent as the proposal is not a like for like repair/replacement as the changes would alter the fabric and appearance of the existing building.

- 3 The listing for the building states:

C16 or earlier timber-framed house, possibly a l-ended hall, or a hall with one end removed. 2 storeys, 4 windows in hall. High-pitched tiled roof with rebuilt ridge stacks and one dormer. Tile hung 1st floor. Timber framed ground floor with red brick filling. Left bay of No 10 an addition in same material. C19 and modern casements. Inglenooks and exposed beams inside.

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Description of Site

- 4 The site is a semi detached cottage within the historic centre of Kemsing. The windows are currently single glazed white wood. 10 and 8 St Edith's Road are Grade 2 listed.
- 5 The original windows had been replaced prior to the listing. The listing for the property describes the windows as Nineteenth Century and modern whilst the building itself is a Sixteenth Century timber-framed house indicating that these still contribute to the character of the dwelling as it currently exists.

Constraints

- 6 Grade II Listed Building
- 7 Conservation Area

Policies

*South East Regional Plan:*

- 8 Policy - BE1

*Sevenoaks District Local Plan:*

- 9 Policies - EN1, EN23

*Sevenoaks Core Strategy:*

- 10 Policies - SP1. LO8

*Other*

- 11 National Planning Policy Framework (NPPF)
- 12 Planning Policy Statement 5: Historic Environment Planning Practise.

Planning History

- 13 11/02325/LBCALT - Replace existing single glazed windows with white painted wooden double glazed windows. REFUSED.

Consultations

*Kemsing Parish Council*

- 14 Recommend APPROVAL. In the event of Sevenoaks District Council being of a mind to refuse this application, the Parish Council wishes it to be presented to the Development Control Committee for a decision.

*SDC Conservation Officer*

- 15 Despite the requirements of paragraph 128 of the NPPF and of the Planning Practice Guide to PPS5 which remains extant, no justification has been made for

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this proposal, which involves the loss of significant historic fabric, it appears to be identical to SE/11/02325/LBCALT refused consent on 12<sup>th</sup> December 2011. Paragraph 132 of the NPPF advises that... 'as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. ' No such justification has been made in this case. The NPPF in fact retains much of the text of PPS 5 in this respect.

- 16 Alterations to existing windows or the introduction of new windows to historic buildings can have a significant impact on the special character of the building as a historic asset as windows are inevitably a conspicuous element of character. Paragraph 133 of the NPPF states that local planning authorities should refuse consent for work which would result in harm to the significance of a designated heritage asset, unless it can be demonstrated that the loss is necessary to achieve substantial public benefits. The Planning Practice guide reinforces this approach in paragraph 179.
- 17 Following the previous decision I visited the property, met the owner/applicant and inspected all the windows at close quarters. Most are in good condition. I identified four which are in a poor state where replacement would be justified. These are to the rear and side, not the more significant front elevation. Replacement of these windows only, subject to detailed drawings, with slim section double glazed units to the same style and detailing would be acceptable as there are no glazing bars. I advised the applicant of this at my visit.
- 18 It is a fallacy that double glazing to windows greatly helps with energy efficiency. Only 10 % of heat loss is through windows and the estimated payback period for double glazing is 20 + years. About 35% of the loss is through solid walls. Draught-proofing, curtains, secondary glazing and insulation (tanks, loft, pipes and floors) are more effective and give a positive return within about 5 years. Secondary glazing has been shown by English Heritage to actually exceed double glazing in performance as well as being better at sound insulation. These are all items not needing listed building consent

Representations

- 19 A site notice was posted on 13.03.2012 and a notice was printed in the local press on 12.03.2012. 13 neighbours were consulted. The overall expiry date of consultations is 08.04.2012.
- 20 No representations have been received.

**Head of Development Services Appraisal**

- 21 The principle issues in this instance are whether the proposal meets the policy criteria set out in Section 12 of the National Planning Policy Framework (NPPF). The impact of the proposal on the character of the building and the wider Conservation Area must also be taken into account.
- 22 A heritage asset is defined in the NPPF as a building, monument, site, place area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. 10 St Edith's Road is part

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of a pair of semi-detached dwellings near the historic centre of Kemsing. They are Grade 2 listed and therefore fall within the definition of a heritage asset.

- 23 Paragraph 132 of the NPPF states that 'when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the assets conservation' and 'that any harm or loss should require clear and convincing justification.'
- 24 The first application was to replace all the windows on the property and was refused as there was not a clear justification put forward which demonstrated the need to replace the windows was put forward. Planning Policy Statement 5 was the current policy at the time, and the essence of this has been carried forward in the NPPF.
- 25 Since this refusal the Conservation Officer carried out a site visit in the company of the applicant, Mr Monger, and identified four windows that were in need of replacement. These were:
- The first floor bathroom (south facing)
  - The first floor side bedroom (south facing)
  - The second floor rear bedroom
  - The first floor rear bedroom.
- 26 However the current application is for all the windows on the property and no further justification has been submitted to demonstrate the need for their replacement. This is required under both the NPPF and the Historic Environment Planning Practise Guide linked to Planning Policy Statement 5, which has not yet been superseded. Therefore the existing application is for an identical proposal that has already been refused, as discussed above.

#### Principle of Replacement

- 27 The presumption in national policy is for preservation of the existing fabric of a listed building unless there is a clear justification for works to be carried out. This applies even if the new works proposed may be acceptable in design terms as if there is no justification for the removal of the existing fabric the proposal is unacceptable in principle.
- 28 The windows on the property have been replaced with examples from the 19<sup>th</sup> Century. However buildings are listed not just for the importance of their original features but also as demonstrations of how buildings have been adapted and altered over time. Windows are prominent features within any building and can contribute significantly to its character and historical development. In the cases of listed buildings this is not just limited to external appearance but also the historical fabric of the building.
- 29 The NPPF also sets out an agenda for promoting sustainable development. In paragraph 14 it is made clear that sustainable development should be a priority in plan making and decision taking. Part of this would be energy efficiency. Paragraph 95 of the NPPF actively supports energy efficiency improvements to existing buildings. However, paragraph 14 also states that permission should not be granted unless specific policies in the NPPF indicate development should be

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restricted and this includes policies relating to sites that are designated heritage assets.

Justification

- 30 The applicant has previously stated in pre-application discussions that the replacement windows are required to be done because of:
- Poor condition
  - Difficulty in closing
  - Condensation
  - Heat loss
  - Security
- 31 If energy efficiency is an aim of the development than other options, not requiring listed building consent, can be explored. One option is secondary glazing, a fully independent window system installed to the room side of existing windows. The original windows remain in position and in their original unaltered form. Secondary glazing is available as open-able, removable or fixed units. The open-able panels can be either side hung casements or horizontal or vertical sliding sashes. These allow access to the external window for cleaning and the opening of both the secondary glazing and external windows for ventilation. Fixed forms of secondary glazing are designed to be removed in warmer months when the thermal benefits are not required.
- 32 Historic Environment Local Management Guidance (HELM) (Energy Efficiency in Historic Buildings Secondary Glazing for Windows), information distributed by English Heritage, states the following:
- ‘The benefits of double glazing over other methods of window upgrading are often overestimated. Much of the comfort and energy efficiency benefits of new double glazing come from the reduction of draughts that will result from well-fitted window frames with integral draught-proofing. These benefits are also available through repair and draught-proofing of the existing windows, or from fitting secondary glazing. With continual improvements in the performance of secondary glazing it may even be possible for the performance of secondary glazed windows to exceed that of new double glazing.’
- 33 Secondary glazing can also improve the security on the site due to the two panes of glass required. It is also acknowledged that some of the windows do not shut properly, however it has not been clearly and convincingly demonstrated that replacing the windows is the only way to overcome this. Parts of older windows can be renewed in order
- 34 It has also been mentioned that the cost of replacing all the windows at once would be, in the long run, cheaper than replacing the windows in stages. Unfortunately this does not constitute adequate justification for carrying out the proposed works as it is based on financial preference rather than an established need to replace all the windows due to their condition.

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- 35 HELM Guidance (Energy Efficiency in Historic Buildings Secondary Glazing for Windows) also states:

'Traditional timber and metal windows can almost always be repaired, even when in quite poor condition and normally at significantly less cost than complete replacement. The timber used in the past to make windows was of a high quality and very durable. Many Georgian and Victorian windows are still in place today whereas modern windows can need replacement after only 20 years. Repairing windows is the best way of maintaining the visual character and architectural significance of a building's elevation and can add to its value.'

- 36 The applicant states that the proposal is for a direct replacement on a like for like basis, double glazing being the only alteration. The proposed materials are still white painted wood the frames required to support the double glazing will need to be thicker than the existing single glazing, and the modern glass will be flatter than the existing. Although it could be argued that the alterations would only be visible to the trained eye, no. 10 is in a prominent position close to the village post office and therefore any alterations could have an impact on the wider character of the historic village centre, especially to windows on the elevation facing the road were there is no clear justification for them to be replaced. The proposed windows will be of a different design to those currently used on the ground floor front elevation of the attached property at no. 8. These properties currently reflect each other in materials and detailing and it is felt that alterations to the windows at no 10, specifically on the front elevation, will permanently remove a visual link between the two properties. Although these changes may constitute only a small alteration incremental changes can lead to the loss of the very qualities that led to the designation of the Conservation Area in the first instance. This approach is reflected in case law.

Other issues

- 37 This application is for the replacement of all windows. Based on the evidence submitted by the applicant has only demonstrated that four of these windows can be justified for replacement. For the remaining windows other options are available. The applicant has not demonstrated that he has explored all of these options, why they are not suitable, or provided sufficient justification for replacement of all the windows.
- 38 The Society for the Protection of Ancient Buildings (SPAB) is one of the National Amenity Societies that planning authorities have to consult on certain heritage applications. They offer technical guidance that is useful to reproduce here to provide further clarity on the options available to the applicant.

Taken from the SPAB Q and A 13, which relates specifically to timber windows.

**Q. Is decay or a desire to double-glaze a good reason to replace an old timber window?**

**A.** Usually not. Existing timber windows can often be repaired and, if necessary, upgraded for draught-proofing or better security. Some examples of basic repairs are outlined below; upgrading methods will be the subject of a future article.

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During any work, be careful to protect old glass and ironmongery against damage or loss.

Replacement is the last resort, and should be like-for-like in terms of style and materials. The SPAB may be able to advise on joiners.

**Q. How do you repair a rotten window?**

A. Commonly, only a small area is affected, such as the bottom of the window where there is wet rot. A skilled carpenter will in many cases be able to let in well-seasoned matching new timber. For example, a decayed end to a bottom rail might be renewed, complete with tenon, and the joint pegged, re-wedged and glued. A rotten outer section to a cill may be cut back *in situ* and replaced with new timber held by glue and non-ferrous screws. New timber of low natural durability should be double vacuum treated.

Minor areas of decay can simply be built up with two-pack filler. It is important, of course, to eliminate gutter leaks or other causes of damp.

**Q. How do you deal with loose joints?**

A. Joints can open due to the breakdown of glue and loose wedges. After removing the wedges, and perhaps some of the glass, it should be possible to apply new glue and re-wedge joints. Glue can be worked down the base of tenons with a hacksaw blade or piece of card.

Taken from the SPAB Q and A 16, which relates specifically to upgrading windows.

**Q. Do I simply have to put up with draughts through old timber windows?**

A. No. Although old buildings that "breathe" need greater ventilation to remove moisture than new ones, air leakage through windows is often excessive. Furthermore, owners commonly mention thermal radiation through glazing as the reason for replacing windows whereas, in fact, the major source of heat loss is air infiltration around casement edges. Elimination of draughts should, therefore, be the immediate consideration.

First, service, ease and adjust the opening casements. If air leakage between the frame and casements is still a problem, this might be remedied by draught-proofing the windows and, if present, shutters too. The various forms can be either a gap filler (mastic or foam) or oversized fitting (tube, brush or fin). To reduce condensation, allow for additional ventilation near sources of moisture, or only partially seal windows. Heavy curtains, insulated blinds, reinstated shutters and secondary glazing may be used additionally, or as alternative methods.

**Q. How can I improve the thermal insulation of old windows?**

A. As well as draught-proofing, secondary glazing may be a good way to reduce the thermal transmittance (U-value) of old windows. It comprises an extra layer of (ideally non-reflective) glass that fits to the inside of the existing window and, if well designed, is unobtrusive. It can be removed when not wanted in the summer. For thermal insulation, the optimum air gap between panes is 20mm. A little

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ventilation should be maintained through the outer window to prevent condensation on the inner face.

Because windows in old buildings are typically small relative to wall areas, the amount of heat saved means double-glazing is rarely cost-effective. Double-glazed units result in loss of historic fabric, are obtrusive and suffer misting as seals eventually fail.

### Conclusion

- 39 The relevant policy in the National Planning Policy Framework clearly states that heritage assets should be preserved unless there is clear and convincing justification for their alteration. In this case it is felt that four of the windows have sufficient justification to be replaced due to their current condition.
- 40 Two main reasons have been put forward for justification for the works. One is that it is more economical for the applicant to replace them all the windows at the same time. However, this isn't a material consideration and therefore can be given little weight. The second justification is that the NPPF is also focused on energy efficiency etc. However evidence that other options have been fully explored has not been included in the application. This significantly limits the weight that can be given to this justification for the proposed works as it has not been clearly shown why other forms of increasing energy efficiency have been found unsuitable. In addition paragraph 14 of the NPPF makes it clear that although there is a presumption in favour of sustainable development within national policy this does not automatically override the importance that should be given to sites in designated areas, like heritage assets, and the need for sustainable development has to be weighed with the need for preservation. In this case it is felt that insufficient evidence has been submitted to show clear justification for the proposed works as required by paragraph 132 of the NPPF.

### Background Papers

Site Plan

Contact Officer(s): Deborah Miles Extension: 7360

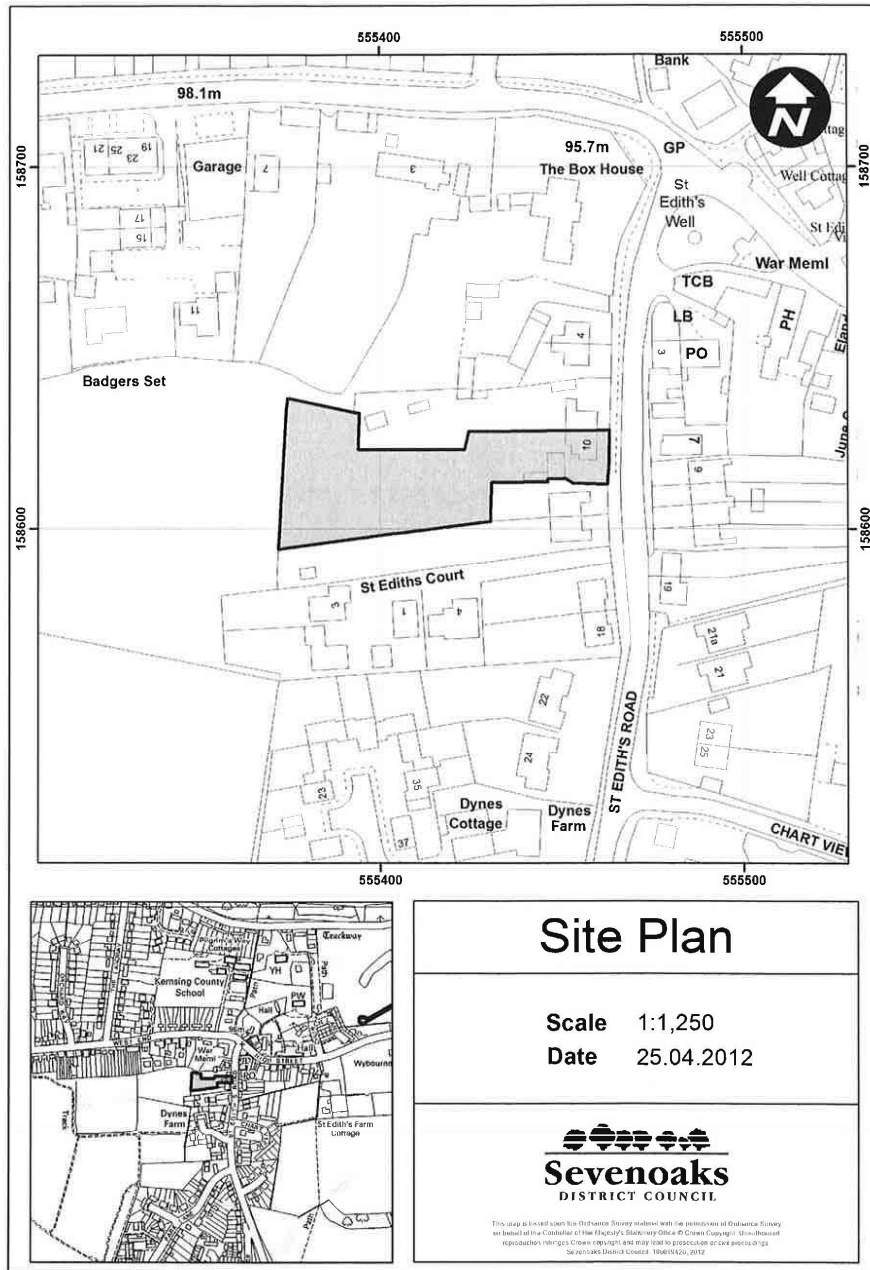
Kristen Paterson  
Community and Planning Services Director

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MOKMGGBKOCRO0>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MOKMGGBKOCRO0>



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## APPENDIX B



Bank Buildings, Station Road, Otford  
Sevenoaks, Kent TN14 5QX  
**Tel: 01959 524966**  
Fax: 01959 525176  
E-mail: enquiries@gullivertt.co.uk  
www.gullivertt.co.uk

11<sup>th</sup> June 2012

Your Ref: 0771G/IG/KJP  
Our Ref:

Mr S Monger  
10 St. Ediths Road  
Kemsing  
Kent  
TN15 6PT

smonger@nodent.co.uk

Dear Mr Monger,

**Re: 10 St. Ediths Road, Kemsing, Kent, TN15 6PT**

Further to your recent request our surveyor, Ian Cottage CSRT CSSW, visited the above property on Wednesday 6<sup>th</sup> June 2012 with regard to inspecting the timber windows, and we have pleasure in submitting our observations and recommendations as follows:-

**OBSERVATIONS:**

We noted the following infestation(s): PORE FUNGUS (Fibroporia vaillantii)

Any references to right and left are taken from facing the outside of the main front elevation wall of the property.

Attic Bedroom:

The window and surrounding framing is affected by wet rot, i.e. poor fitting and subject to not fitting after rainfall.

First Floor

Bathroom

Due to recent rainfall the sashes have swollen and will not shut, wet rot decay was also noted.

Left Hand Bedroom

Again the sashes are swollen and do not shut properly.

First Floor

Master Bedroom

Windows are affected by wet rot, are poorly fitting and one would not shut.

Ground Floor

Reception Room

Front windows affected by wet rot, poorly fitting and glass is cracked.

Bathroom

Both windows are affected by wet rot and are poorly fitting, clear glass is not ideal for a ground floor bathroom and at present this is painted.

All the single glazed windows are liable to condensation, which in turn will cause further decay.

Please Note: Our Surveyor's findings outlined in this document are relevant to the conditions appertaining to the property at the time of our survey.

Cont/...



ESTABLISHED SINCE 1971  
Directors: R.C.P. Gulliver B.Sc, V.M. Gulliver, R.J. Gulliver C.S.R.T.  
Registered in England No. 1022035



**Re: 10 St. Ediths Road**

**Report No 0771G**

**RECOMMENDATIONS:**

In our opinion, it would be prudent to have all windows replaced at the same time by one contractor in order to keep uniformity to the windows. Double glazed units will improve the insulation values of the property as the walls are solid and therefore cannot be insulated. This will also improve the energy efficiency of the property.

We trust the above information is of assistance, but if we can be of any further help, please do not hesitate to contact us.

Yours sincerely,  
For and on behalf of  
**GULLIVER TIMBER TREATMENTS LTD.,**

Ian Cottage CSRT CSSW  
Surveyor