

Appeal Decision

Site visit made on 5 November 2013

by Jennifer Tempest BA(Hons) MA PGDip PGCert CertHE MRTPI IHBC

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

Decision date: 16 December 2013

Appeal Ref: APP/X5210/E/13/2197229

118 Albert Street, London NW1 7NE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Angela Andersen against the decision of the Council of the London Borough of Camden.
 - The application Ref 2012/4201/L, dated 8 August 2012, was refused by notice dated 8 February 2013.
 - The works proposed are to replace ground floor front window with identical window which is double glazed using ultra thin double glazing and ensuring the glazing bars are identical to existing. Existing sash window – box frame to be retained and made draught proof. New weights to be installed.
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Decision

1. The appeal is dismissed.

Main Issue

2. No 118 Albert Street is a Grade II listed building at one end of a terrace (listed as Albert Street (East side) Nos 90 - 118 (Even) and attached railings). The main issue is the effect of the proposed works on the special interest of No 118 and the wider terrace of which it forms a part.

Reasons

3. The ground floors of the terrace are stucco with brick to the upper storeys and stucco detailing, the contrast in materials drawing attention to the ground floor. Two bays wide with the front door and one window at ground floor level, the ground floor windows are one of the most readily visible features of the terrace. Although there are some variations in the style and details of windows along the terrace, the fenestration is consistent in terms of proportions and alignments and is a key feature of the terrace.
4. The ground floor window of No 118 has four panes in the upper row of the top sash and lower row of the bottom sash, whilst the middle rows have the appearance of missing middle glazing bars, creating two larger central panes. I noted during my site visit that this arrangement was also present in the property next door but one to the appeal site. The ground floor window of the appeal property, which has internal shutters, retains some historic glazing.
5. The proposed works would replace the existing sash windows with purpose made windows intended to visually replicate the existing windows whilst incorporating the double glazing into the new frames. The overall depth of the

double glazing would be kept to a maximum of 12 mm. The outer glazing would be in the same position in relation to the outer frame as in the existing window. The inner pane would reduce the depth of the glazing bar inside of the window due to the necessary deeper rebate.

6. The works would result in a loss of historic fabric in terms of both the soft wood window frames and what remains of historic glazing. As noted by the Council, the significance of historic glass is highlighted in English Heritage guidance documents¹. In this instance the variations in reflections, created by the remaining older glass panes, add to the character of the window and these variations are evident in views from the pavement. The double glazed units would lose the subtlety of variation in reflections but create a different type of reflection, which would be at variance with other ground floor windows in the listed terrace which as far as I could observe from my site visit, remain single glazed.
7. I have noted that the appellant refers to the possibility of using reproduction crown glass, presumably for the outer panes. My understanding is that this is not manufactured in the same way as crown glass, but is glass treated to reproduce the distortions evident in crown glass. However, the loss of the historic frames and what remains of the historic glass would represent a loss of historic fabric and significant diminution of architectural and historic interest.
8. The proposed works would fail to preserve the special architectural and historic interest of the building and the wider terrace of which it forms part. The works would harm the significance of the building, contrary to the purpose of paragraphs 131 and 132 of the National Planning Policy Framework relating to the management of the historic environment and heritage assets in particular. The works would be contrary to Policy CS14 of the Camden Core Strategy 2010 - 2025 and Policy DP25 of the Camden Development Policies 2010 - 2025. Both of these policies promote the conservation of heritage in Camden.
9. The site lies within the Camden Town Conservation Area. Whilst this is not specifically addressed in the appeal representations, I have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. For the reasons given above, I consider that the proposal would fail to preserve the character and appearance of the conservation area.
10. Whilst the harm the proposal would cause to designated heritage assets would be less than substantial harm, Paragraph 134 of the Framework makes clear that any harm should be weighed against the public benefits of the proposal.
11. I appreciate that the existing windows create problems in terms of their fit within the frames and that heat is lost as a consequence of this and of the single glazing. I am mindful that the desirability of increasing energy efficiency in buildings should extend to historic buildings and that, in general terms, improving energy efficiency can be considered a public benefit.
12. The appellant refers to measures taken to reduce draughts which have not been successful. However, I am not persuaded on the evidence provided that adequate consideration has been given to the full range of measures available

¹ Energy Efficiency and Historic Buildings – Application of Part L of the Building Regulations to historic and traditionally constructed buildings (2011); Energy Efficiency and Historic Buildings: Draught-proofing windows and doors (2012).

to renovate and draught proof the existing window frames as well as potential secondary glazing alternatives which could be compatible with retaining usable shutters. On the basis of the evidence before me I am not convinced that the existing frames are incapable of repair and refurbishment. Nor am I convinced that careful repair would inevitably lead to the loss through breakage of the remaining historic glass. Accordingly, I find that the harm to the listed building and other designated heritage assets would not be outweighed by the limited public benefits the works would bring.

13. Other examples are provided with regard to the use of 'Slimlite' glazing but the details of these examples are not sufficient for me to afford them anything other than limited weight in terms of forming any precedent for this case.
14. The Council refer to an appeal decision (APP/B1225/E/11/2165202) which relates to the use of 'Slimlite' double glazed units in one of a pair of cottages in Dorset. The building in this earlier case is situated within a markedly different context from that of No 118 which is part of a formal urban terrace. Consequently, I have accorded this earlier appeal decision limited weight in my determination of the current appeal.
15. Although the appellant has gone to some lengths to achieve a bespoke solution to replacing the windows, for the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Jennifer Tempest

INSPECTOR