

Delegated Report

Planning Application

Planning Application No: 20221355

Location: 36-38 The Street, Cobham

Description: Replacement of front door and window from PVC to wooden in keeping with the area.

Applicant: Mr Eric Gander

Site Visit Date: Desktop

Submitted Documents/Plans

Application form
Site location plan
Block plan
Drawing no. A-001 (existing plans)
Drawing no. A-002 (demo plan and elevation)
Drawing no. A-003 (proposed plans)

Relevant Planning History

20180623	Application for Listed Building Consent for the removal of the existing upvc window and door at rear of property and replacement with timber painted white glazed window and door.	Refused	29.11.2018
20180622	Removal of existing upvc window and door at rear of property and replacement with timber painted white glazed window and door.	Refused	29.11.2018
20170757	Application for Listed Building Consent for the replacement of the existing external doors and windows to the front and rear elevations to 38 The Street.	Refused	26.01.2018
20170756	Replacement of existing external doors and windows to the front and rear elevations to 38 The Street.	Refused	26.01.2018
19910378	Conversion of the former stable block at the rear into a dwelling incorporating the erection of a two storey rear extension to form living	Permitted	22.08.1991

room with bedroom, w.c. & bathroom over & demolition of the existing attached and detached garages with plastic canopies & oil store at front, side & rear.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC2 – Policy for Listed Buildings
- TC3 – Development Affecting Conservation Areas

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

From 20180623:

Conservation Architect

The detail drawings indicate standard timber replacement windows with no glazing bars and a reveal for a

double glazed sealed unit (which is not shown on the drawings). There are no details of the door, only window cill sections incorrectly referenced on the system. The Multi-paned double casement with matching panelled door should be anticipated.

Insufficient information (no door) and incorrect joinery details for the windows (being - double glazed, standard cills, incorrect window configuration, should be double flush casement with no top hung sashes.

Unable to support the application.

Neighbouring properties

The application has been advertised by site notice, press notice and individual letters to 8 neighbouring properties. No letters of representation have been received.

Officer's Analysis

Background

The existing window and door were installed without planning permission/listed building consent. An enforcement case was raised and an application for both was submitted. The applications in 2017 relate to the front and rear of the building. The windows were deemed inappropriate and the application lacked detail in terms of there being no Heritage Statement accompanying it.

20170756 (planning application)– refused for the following reason:

1. The proposal would result in harm being caused to the significance of this listed building and would fail to either preserve or enhance the character and appearance of the Cobham Conservation Area. The proposal would not result in public benefits that would clearly outweigh that harm. The proposal is therefore contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy Adopted Version (September 2014) and Policies TC2 (Listed Buildings) and TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review, 1994. The development also conflicts with section 7 (Requiring good design) and section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

20170757 (listed building consent application) – refused for the following reason:

1. The proposal would result in harm being caused to the significance of this listed building and would fail to either preserve or enhance the character and appearance of the Cobham Conservation Area. The proposal would not result in public benefits that would clearly outweigh that harm. The proposal is therefore contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy Adopted Version (September 2014) and Policies TC2 (Listed Buildings) and TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review, 1994. The development also conflicts with section 7 (Requiring good design) and section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

The 2018 applications relate only to the rear door and window. The drawings indicated a standard timber replacement window with no glazing bars and a reveal for a double glazed sealed unit. There were no details of the door, only window cill sections. Again, no heritage statement was included with the applications.

20180622 (planning application) – refused for the following reason:

1. The proposal would result in harm being caused to the significance of this Listed Building and

would fail to either preserve or enhance the character and appearance of the Cobham Conservation Area. The proposal would not result in public benefits that would clearly outweigh that harm. The proposal is therefore contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy Adopted Version (September 2014) and Policies TC2 (Listed Buildings) and TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review, 1994. The development also conflicts with section 12 (Achieving well-designed places) and section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

20180623 (listed building consent) – refused for the following reason:

1. The proposal would result in harm being caused to the significance of this Listed Building and would fail to either preserve or enhance the character and appearance of the Cobham Conservation Area. The proposal would not result in public benefits that would clearly outweigh that harm. The proposal is therefore contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy Adopted Version (September 2014) and Policies TC2 (Listed Buildings) and TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review, 1994. The development also conflicts with section 12 (Achieving well-designed places) and section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

Proposal

This application seeks planning permission for the replacement of the existing plastic window and door with a timber door and window. The details are poor and it is not clear whether the proposed window and door are to be double glazed or not. There are no joinery details.

Procedural note

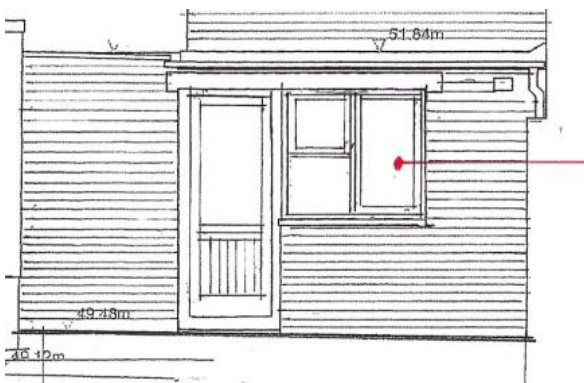
The application site is located within a Conservation Area however, the Article 4 directive does not apply to the rear of the property, therefore planning permission is not required. However, the application has been submitted and therefore shall be determined. The application site is Grade II listed however a listed building consent application has not been submitted.

In addition to this, when the application was first submitted the plans indicated that the works were to the front of the property. The applicant's agent was made aware of this and was also advised that the Heritage Statement was wholly inadequate and did not meet the requirements of para. 194 of the National Planning Policy Framework 2021. They were also made aware that the level of detail in terms of joinery was also inadequate. The plans were changed to show the works to the rear but no additional joinery details were provided and the Heritage Statement was also not altered to meet the requirements of para. 194 of the NPPF.

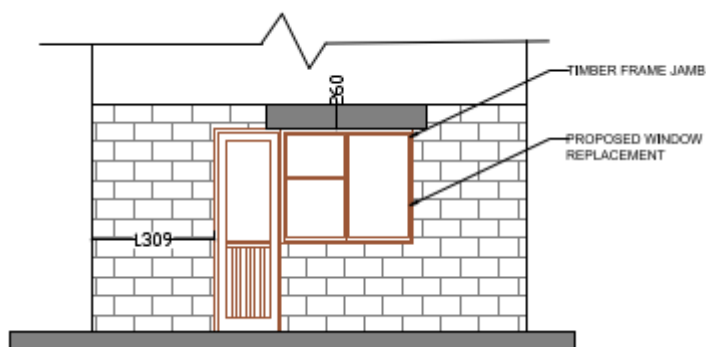
The photo below shows the current uPVC window and door that are inappropriate.



The drawing below shows the proposed double glazed door and window that were refused under reference 20180622 and 20180623.



The drawing below shows what is now proposed.



Design and Impact on Listed Building

The principal issues in the consideration of this application are the impact on the special architectural or historic interest of this grade II listed building and the impact on the character and appearance of the Cobham Conservation Area.

No. 36-38 The Street is on the northern side of The Street forming the village shop and a dwelling. It is a

grade II listed building and situated within the Cobham Conservation Area. The listing description for No. 36-38 The Street is as follows:

Shop with dwelling. C15 timber-framed hall house with C16 central brick chimney stack. Facade refaced and cement rendered on ground floor. First floor weather boarded. Recessed addition at west end with rendered facade and of red brick at rear. Single storey modern slate roofed addition at rear. Main roof tiled with hipped east end with gable. Much original timber exposed internally. Shop front of plate glass. Elsewhere sash windows with glazing bars.

There are a number of other listed buildings within The Street, including nos. 45-47 and 49 The Street opposite this site.

Section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent; when considering whether to grant planning permission section 66(1) is applicable. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

These duties are reflected in Policy CS20 of the Gravesham Local Plan Core Strategy and Policies TC2 and TC3 of the Gravesham Local Plan First Review. Policy CS19 of the Core Strategy concerns good design. There is a Conservation Area Appraisal for Cobham Conservation Area and a Management Plan for the rural Conservation Areas generally. In the appraisal the building is described as making a positive contribution to the Conservation Area and is described as follows:

This is a narrow terrace house 'infilling' between the earlier Darnley Arms and no. 36, The Village Shop. Its roof is separate from both and its front is rendered with a modern timber vertically hung window with eight pane sashes and moulded architraves above and a modern undivided single glazed-pane window below, next to the front door.

The Appraisal and Management Plan state that one of the main issues in the Conservation Area is some well-intentioned, but unsympathetic changes, especially to doors and windows, which have had an effect that is damaging to the Conservation Area.

Paragraph 199 of the National Planning Policy Framework (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. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings. The Government attaches great importance to the design of the built environment as set out in paragraph 130; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Para. 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

In the previous two applications no Heritage Statement was provided. Within this application one has been provided however the level of detail is not sufficient. The Statement outlines the location of the site, the location within a Conservation Area, a planning history of the site, the proposed plans and a list of considerations (to include relevant legislation, national planning practice guidance and Gravesham Neighbourhood Plan). There is no mention of the National Planning Policy Framework 2021, Gravesham Core Strategy 2014 or Gravesham Local Plan 1994. There is no mention of the heritage significance of the building or its contribution made by its setting. Without this detail there cannot be an understanding of the

potential impact of the proposal on the significance of the heritage asset.

Within the 2018 application the Council's Conservation Architect objected to the proposal on the following grounds:

The detail drawings indicate standard timber replacement windows with no glazing bars and a reveal for a double glazed sealed unit (which is not shown on the drawings). There are no details of the door, only window cill sections incorrectly referenced on the system. The Multi-paned double casement with matching panelled door should be anticipated.

Insufficient information (no door) and incorrect joinery details for the windows (being - double glazed, standard cills, incorrect window configuration, should be double flush casement with no top hung sashes.

The plans submitted under this current application contain even less detail than the previous. The plans show a narrow door (approx. 0.7m wide) whereas the previously refused door was approx. 0.8m. The whole opening is approx. 2.2m wide so it is unclear why the door is shown to be narrower and the window is wider. It is also not clear why the finish is shown in concrete blocks and the lintel is not shown to extend over the entire window and door as shown in the previous application and in the photo.

The existing unauthorised plastic door and window are completely unacceptable in this listed building; their replacement with timber would therefore be acceptable in principle. However, the door and window which has been submitted has insufficient information and the conservation architect is unable to support the application.

Taking all of the above points together, it is considered that the proposal would cause harm to the special architectural and historic interest of the listed building. This means that the proposal fails to accord with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Paragraph 199 of the National Planning Policy Framework sets out that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraphs 200 and 201 differentiate between the approaches required when a proposal would cause substantial or less than substantial harm to the significance of a designated heritage asset.

In this case, insufficient details have been provided to even determine whether double glazing is intended. If that is the case the use of double glazing would result in a double reflection and result in appropriate detailing to the windows in order to receive the thicker glazing units. Double glazing is a modern invention that would be an unauthentic feature in an historic building of this age and character. It is considered that the proposed works would result in significant, albeit, less than substantial harm to this designated heritage asset.

Paragraph 201 of the NPPF makes it clear that less than substantial harm to the significance of designated heritage assets should be weighed against the public benefits of the proposal. It is also important to note that in applying this balancing exercise, paragraph 199 of the NPPF states that great weight should be given to the asset's conservation.

The applicant has not put forward any reasons for the proposal but arguments often put forward for replacement windows and doors are improved insulation, reduce energy loss, improve security and reduce noise pollution. These could be considered public benefits but it is not considered that they would outweigh the harm identified. Furthermore, it has not been demonstrated that double glazed units are the sole approach available and that much the same benefits could not be provided by single-glazed windows of appropriate design and manufacture. Historic England (formally English Heritage) guidance ('Traditional Windows: their care, repair and upgrading, February 2017') makes clear that there are more appropriate ways of improving the performance of historic traditional windows, in particular by weather-stripping to eliminate draughts and by the use of secondary glazing. As such it is considered there is no overriding justification for double glazing. In that context, it is considered there are no public benefits that would outweigh the harm the proposed replacement windows and doors would cause to the significance of this

designated heritage asset.

Amenity

Due to the nature of the application involving the replacement of an existing window and door at ground floor level, there will be no detrimental impact in terms of amenity to the occupiers of the dwelling or the occupiers of neighbouring properties.

Parking and Highways

Due to the nature of the application there will be no detrimental impact in terms of parking or highway safety.

Conclusion

The proposal lacks sufficient detail, would result in harm being caused to the significance of this Listed Building and would fail to either preserve or enhance the character and appearance of the Cobham Conservation Area. The proposal would not result in public benefits that would clearly outweigh that harm. The proposal is therefore contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy Adopted Version (September 2014) and Policies TC2 (Listed Buildings) and TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review, 1994. The development also conflicts with section 12 (Achieving well-designed places) and section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework 2021.

Recommendation:

Refuse

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	8 March 2023	Dated:	8th March 2023