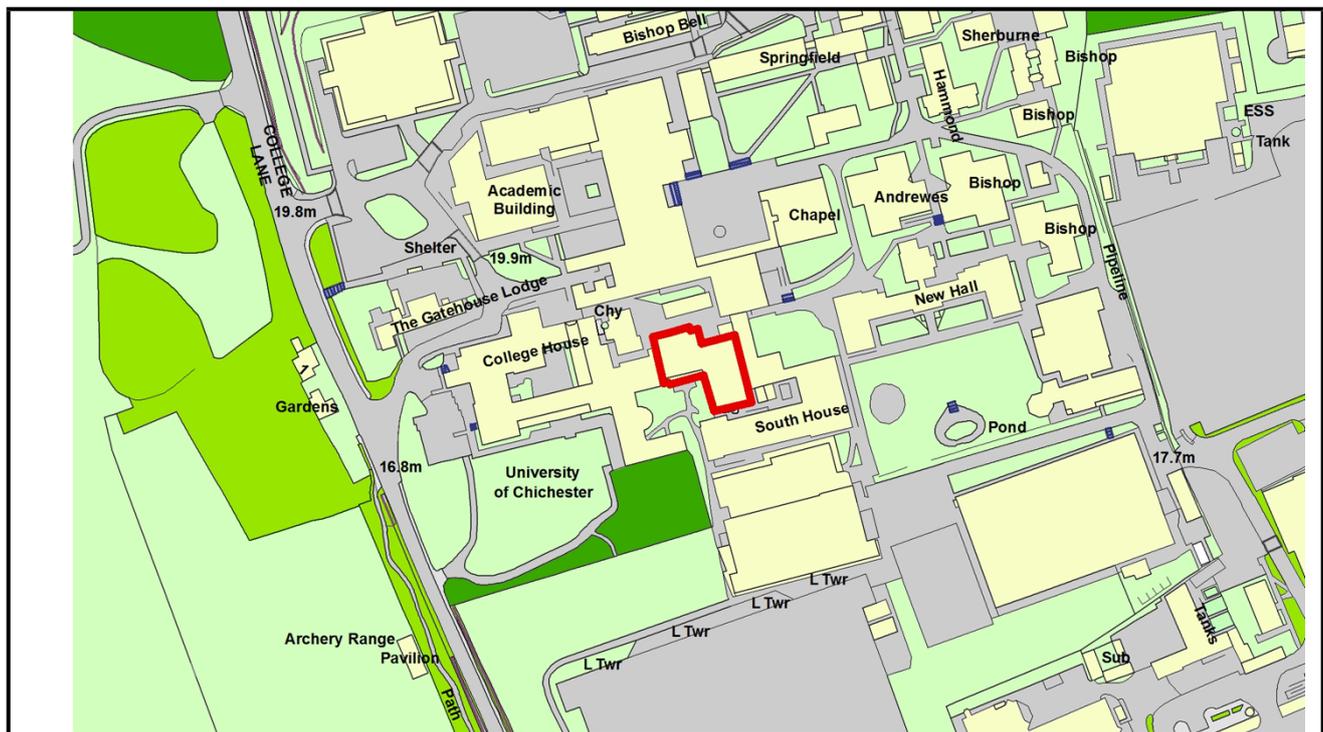


Parish: Chichester	Ward: Chichester North
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CC/19/02609/LBC

Proposal	Replacement and refurbishment of existing degraded timber sash windows to match existing.		
Site	South House University Of Chichester Bishop Otter Campus College Lane Chichester West Sussex PO19 6PE		
Map Ref	(E) 486342 (N) 105691		
Applicant	Mr James Baird-Parker	Agent	Mr Ben Rumer

RECOMMENDATION TO REFUSE



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

- 1.1 Red Card: Cllr Plowman important information/opinion to raise in debate (The application raises interesting issues with regard to how we go forward in the future given the climate change emergency. It may also be useful to understand how to address this in the Chichester Neighbourhood plan for listed and conservation area buildings.)

2.0 The Site and Surroundings

- 2.1 The application site (known as South House) is situated to the western side of the Bishop Otter Campus, located adjacent to College Lane and within the Chichester Conservation Area. South House is a three storey building constructed in brick, with a tile roof. The building was constructed circa 1901 and the distinctive architectural features and detailing reflects the features of the Grade II Listed University House (constructed circa 1860) to which South House is attached. South House is therefore listed by virtue of its attachment to the Grade II Listed Building. University House and South House are visually read in tandem, forming the historic core of the University.
- 2.2 The southern elevation of South House forms a courtyard with a chapel built in 1860. The chapel forms part of the listing for University House. The courtyard forms a particularly important historic view and setting within the Bishop Otter campus and Chichester Conservation Area.

3.0 The Proposal

- 3.1 Listed building consent is sought for replacement and refurbishment of existing degraded timber sash windows and for the retention of a number of windows that have been previously installed without consent, as detailed below;
- The replacement of 39 no. timber framed single glazed sash windows with timber framed double glazed sash windows.
 - The retention and refurbishment of 2 no. staircase windows.
 - To regularise 16 no. windows that have already been replaced with double glazed units without Listed Building Consent.
 - To replace 2 no. unauthorised uPVC windows with double glazed units.
 - The retention of 4 no. double glazed windows installed to single storey glazed corridor to southern elevation

4.0 History

06/05480/FUL	REF	Demolition of single storey link building and the extension of college house to provide a three storey accessibility link.
06/05535/LBC	REF	Demolition of a single storey link building and the extension of College House to provide a three storey accessible link.
08/01272/FUL	PER	Replacement of existing glazed lean-to with new access corridor together with installation of 2 no. lifts to provide wheelchair access to existing teaching accommodation and refurbishment of existing lecture theatre.
08/01273/LBC	PER	Replacement of existing glazed lean-to to new access corridor together with installation of 2 no. lifts to provide wheelchair access to existing teaching accommodation and refurbishment of existing lecture theatre.
12/03366/LBC	WDN	External lift extension and flat roof laboratory adaptation to University House.
12/04788/FUL	PER	External lift extension and flat roof laboratory adaptation to University House.
12/04789/LBC	PER	External lift extension and flat roof laboratory adaptation to University House.
19/00031/FUL	PER	Replace suspended flooring in University House and remove the asbestos currently in the service duct.
19/00032/LBC	PER	Replace suspended flooring in University House and remove the asbestos currently in the service duct.
19/00215/LBC	WDN	The replacement of 37 no. windows in the south link corridor of University House.

5.0 Constraints

Listed Building	YES
Conservation Area	YES
Countryside	NO
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

None received. Any that are received will be reported at the committee meeting.

6.2 CCAAC

The Committee has no objection to this Application. We consider this to be a reasonable scheme given the present Climate Emergency Measures and we commend the replacement of the two uPVC windows. The issue of reflectivity from double-glazing is not of great importance in this particular location.

6.3 CDC Principal Conservation and Design Officer

Thank you for consulting design and conservation on the recent application at the above property. The former Bishop Otter Memorial College forms part of the University of Chichester. The main part of this section of university buildings is listed at Grade II and the whole site lies within the Chichester Conservation Area.

The main part of the listed building was constructed in 1848-50 and is a fine example of a typically eclectic Victorian collegiate style building with strong medieval revivalist characteristics. A later extension of 1901 leads to a 1920 extension known as South House which is the subject of this application. South House is listed on account of its attachment to the Grade II Listed University House. Local and national policy is clear that curtilage listed structures must be treated as listed buildings in all regards due to the close relationship they have with the specifically listed structures. This is especially evident in this instance as the later structures have a clear architectural and historic connection to the main listed building.

When appreciating the character of listed buildings the contribution of many small and subtle details help to build a picture of historic character. Brickwork, carved stonework, guttering, roofing materials and windows can seem relatively inconsequential in isolation but when combined form centrally important parts of a buildings historic character. Windows in particular by their very nature take up a large proportion of historic elevations and any changes to their appearance must be carefully considered. The positioning of window openings, the style and materials of the frames and the fine details of their construction are very often a carefully considered part of an architects overall vision for a particular building or elevation. In the case of South House it is clear that in common with many listed buildings its windows form a characterful and interesting part of the facades.

The drawings submitted show only an elevational view of the proposals and these do not accurately communicate the clearly thicker frames, heavier detailing, deeper frame reveals and the occupation of more of the window opening reveal. Double glazing requires timber frames to have this heavier detailing due to the weight of the extra glass. The cumulative effect of this visual change is especially noticeable from acute angles such as ground level, looking up at the upper floors of a tall building such as South House.

The effect of the replacement of the windows of South House with double glazed alternatives would cause less than substantial harm to the heritage asset. In line with Paragraph 196 of the NPPF the harm should be weighed against any public benefits of the scheme. The benefits identified by the applicant are primarily private benefits to the university itself which, whilst of some consequence, cannot be weighed against harm to a heritage asset.

There are however many alterations that can be made to a listed building that can secure significant improvements to thermal and energy efficiency. Having conducted a recent site visit to South House I am of the view that the following alterations could be made without significant harm to the listed building:

- Internal wall insulation
- Floor and ceiling insulation
- Secondary glazing
- Re-insulation of existing windows

These works could easily form part of a wide ranging and convincing effort to upgrade the efficiency of the buildings without the need for the harmful intervention of double glazing.

6.4 Third party representations

None received

7.0 **Planning Policy**

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Chichester at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the 2019 National Planning Policy Framework (NPPF), paragraph 11 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.4 Consideration should also be given to section 16 (Conserving and enhancing the historic environment).

Other Local Policy and Guidance

7.5 The following documents are material to the determination of this planning application:

- Chichester Conservation Area Character Appraisal

7.6 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Impact of the proposed development on heritage assets
- ii. Other matters and material considerations

i. Impact of the proposed development on heritage assets

8.2 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, 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." Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, requires that the Local Authority give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In addition, policy 47 of the Chichester Local Plan states that permission will only be granted where it can be demonstrated that the proposal conserves or enhances the special interest and settings of the designated heritage assets.

8.3 Windows and doors are often among the most prominent features and an integral part of the design of traditional buildings and can be important indicators of when the building was constructed. The design, materials and construction of a fenestration detail are all important to the aesthetic, evidential and historic value of an individual building and this contributes to the significance of heritage assets. Windows are not only an important part of a building's history and form a key part of the architectural composition of a building but also in establishing the character of the area as a whole. In accordance with guidance issued by English Heritage, the Local Planning Authority's approach to double glazing relates to the integrity of protecting the historic significance of the building as much as the design and detail of the windows themselves. Even where double glazing can be accommodated in the apertures double glazing is inherently alien to the character of listed buildings. Whether seen from the exterior or by visitors within the building, the double glazed windows would detract from the special interest and character of South House and University House.

8.4 There are many reasons why the use of double glazing in this building would be detrimental to the historic character and appearance of the Listed Building. In this instance the depth of the double glazing has not been provided as part of the application, however should the units match the glazing installed to the southern glazed lean-to corridor, the units would be approx. 14-16mm in depth. This necessitates thicker frames and glazing bars than traditionally would have been the case if the windows were single glazed. In addition, double glazing appears visually different to a single pane of glass. This is due to the introduction of a perimeter seal between the edges of the two panes of glass and the changes to the framing to accommodate thicker glazing units. The more robust frame required would detrimentally change the relationship and proportions of frame to glass. This is particularly apparent when using a more traditional small pane window frame design, where the amount of glass per area of frame is materially less than for a single glazed design. Furthermore, double glazing tends to reflect light differently which attracts the eye. These factors would make the modern construction of the windows and the use of double glazing clearly obvious.

- 8.5 South House forms an historic extension (constructed early 20th century) to the earlier University House (mid-late 19th century). South House and University House are architecturally similar ensuring that they are visually read together, whilst they also form the historic core of the Bishop Otter Campus. As detailed within the Heritage Statement, South House is an institutional building constructed to provide additional teaching space to that already contained with University House. South House therefore makes a significant positive contribution to the visual and historical appreciation and understanding of University House as a heritage asset. On this basis the assessment within the applicant's Heritage statement that; 'South House is of a different character and is clearly distinguishable from University House' and that 'South House is not considered worthy of listed status in its own right', is not consistent with the important visual and historical contribution that South House makes to the designated heritage asset and underplays the heritage value of the building and its impact upon the setting of the listed University House.
- 8.6 The Heritage Statement details that replacement double-glazed units are sought in order to improve energy efficiency and improve the learning environment for the students of the university. This is a material consideration, emphasised by the District Council's declaration of a climate emergency. Historic England has undertaken research into the thermal upgrading of heritage assets. A number of these findings have been detailed within the Historic England (2014) publication Traditional windows: Their Care, Repair and Upgrading. This report concludes that the thermal efficiency of historic buildings can be greatly improved without replacing windows that contribute to their significance. These measures include the use of curtains, shutters, secondary glazing, and where the windows do not contain the original glass; replacement glass with a low-emissivity coating such as the 'HistoGlass Mono Range' may be acceptable.
- 8.7 The above measures would represent an acceptable compromise and would secure optimum viable use and significantly improve thermal performance without compromising the historic integrity, character and appearance of the heritage asset. The heritage statement does not assess any other alternative measures that could have been considered prior to the implementation of the harmful double glazing, and there is nothing to explain why other measures such as those detailed above could not achieve similar thermal performance, or better, as part of a 'whole building approach' without having a harmful impact upon the heritage asset.
- 8.8 Paragraph 184 of the NPPF states that 'heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations', whilst the Local Planning Authority has a statutory duty to 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'. Paragraph 196 of the NPPF 2019 states '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.' The installation of double glazing would in this instance amount to less than substantial harm to the heritage asset.

However, as detailed above, alternative methods could be implemented as part of a 'whole building approach' that would provide a similar level of comfort to students and staff, whilst also providing similar or better thermal performance than the installation of double glazing. In addition, there is no indication that the building's overall viable use is seriously threatened. It is considered by officers that the proposal would be damaging to the significance, integrity and appearance of the heritage asset and therefore the limited increase in thermal performance would not provide a public benefit that would outweigh the clearly demonstrable harm.

8.9 The site is also situated within the Chichester Conservation Area. The character and appearance of Listed Buildings make an important contribution to the appearance and quality of the Chichester Conservation Area. As detailed above, the proposal would have a detrimental impact upon the Listed Building itself and therefore the proposal would also detract from the enjoyment and appreciation of South House and University House within the Chichester Conservation Area. On this basis, the proposal would fail to preserve or enhance the Chichester Conservation Area as required by S72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy 47 of the Chichester Local Plan.

iii. Other matters and material considerations

8.10 The Heritage Statement provided in support of the application states that the proportions and overall character of the proposed replacement windows are similar to those approved under 08/01272/FUL and 08/01273/LBC. The above applications granted consent for a glazed lean-to corridor along the southern elevation. Neither of the decision notices for the application or the approved plans or documents make any reference to the windows included within the link as being double glazed, and instead they are referred to only as "timber sliding sash" within the Design and Access Statement. It is therefore considered that consent has not been expressly granted for double glazed units. In addition, it is considered that the double glazed windows that were installed, are harmful to the integrity and appearance of the Listed Building.

8.11 The 2 no. existing uPVC windows are considered to be unlawful and therefore the desire to replace these is welcome in heritage terms. However, it remains that the double glazed windows now proposed would still result in harm and it is considered that the presence of the existing upvc window does not outweigh the identified harm.

8.12 In addition to the Listed Building Consent for the works proposed, the proposal likely requires full planning permission. In the event consent is granted, the applicant should be made aware by an informative that a further application would be required.

Conclusion

8.13 Overall, it is considered that the double glazing, both installed and proposed, would cause less than substantial harm to South House and University House which is a Grade II Listed Building. This harm would not be outweighed by any public benefit. Therefore such development would be contrary to S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF 2019 and Policy 47 of the Chichester Local Plan. The proposal would also fail to preserve or enhance the Chichester Conservation Area as required by S72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF 2019 and Policy 47 of the Chichester Local

Plan. The existence of double glazed windows already is not determinative in the decision to resist further double glazing, particularly as these existing windows are deemed to be unlawful and detract from the special interest of the building. There are no public benefits or other material considerations that would outweigh the harm that would be caused by the proposed works.

Human Rights

- 8.14 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account and it is concluded that the recommendation to refuse is justified and proportionate.

RECOMMENDATION

REFUSE for the following reason:-

The proposed works to the windows would by reason of the use of double glazing and the resultant chunky design and proportions, increased reflectivity of the glass and introduction of a perimeter seal detract from the historic and architectural character of the listed building. The works would cause less than substantial harm to South House and University House which is a Grade II Listed Building. This harm would not be outweighed by any public benefit and there is no evidence that the building's overall viable use is seriously threatened. Such development would be contrary to S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 184, 192, 193, 196 and 202 of the National Planning Policy Framework 2019, and Policy 47 of the Chichester Local Plan and there are no public benefits or other material considerations that would outweigh the harm that would be caused by the proposed works.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

19025-HNW-ZZ-00-DR-A-1001, 19025-HNW-ZZ-00-DR-A-1200, 19025-HNW-ZZ-00-DR-A-2200, 19025-HNW-ZZ-01-DR-A-1201, 19025-HNW-ZZ-01-DR-A-2201, 19025-HNW-ZZ-02-DR-A-1202, 19025-HNW-ZZ-02-DR-A-1300, 19025-HNW-ZZ-02-DR-A-1301, 19025-HNW-ZZ-02-DR-A-2202, 19025-HNW-ZZ-02-DR-A-2300, 19025-HNW-ZZ-02-DR-A-2301, 19025-HNW-ZZ-02-DR-A-2400, 19025-HNW-ZZ-ZZ-DR-A-1000

For further information on this application please contact William Price on 01243 534734

To view the application use the following link -

<https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=PZ7XEEERIX400>