

Planning Committee: 23 May 2023

Item Number: 9

Application No: [W 23 / 0313](#)

Town/Parish Council: Warwick
Case Officer: Lucy Shorthouse
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Registration Date: 10/03/23
Expiry Date: 05/05/23

1-9 Martinique Square, Bowling Green Street, Warwick, CV34 4DG

Replacement of all single glazed timber framed sash windows with double glazed timber framed units FOR Martinique Square (Warwick) Ltd

This application is being presented to Committee as it is supported by the Town Council, and it is recommended for refusal.

RECOMMENDATION

Planning Committee is recommended to refuse this application for the reasons set out at the end of this report.

DETAILS OF THE DEVELOPMENT

Replacement of all existing timber frame sash windows with double glazed timber framed units.

THE SITE AND ITS LOCATION

Martinique Square was redeveloped into two new blocks of flats, three town houses and the conversion of the former public house (The Westgate Arms) which is listed. This Grade II Listed building is the subject of this application and comprises residential flats. It sits on the southeast corner of the square, fronting Bowling Green Street and Puckering's Lane (historic frontage). The site is located within the Warwick Conservation Area.

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- BE1 - Layout and Design
- BE3 - Amenity
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- [Guidance Documents](#)
- Windows in Listed Buildings & Conservation Areas (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Supports the application and considers the benefits outweigh any potential harm to the property.

WDC Conservation: Objection - considered to result in harm to heritage asset which is not outweighed by public benefits.

Ward Cllr: Supports the proposal on grounds of benefit to climate/energy efficiency with benefit to residents and impact of visual change considered minimal.

ASSESSMENT

Impact on Designated Heritage Assets and Conservation Area

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect conservation areas. These duties affect the weight to be given to the factors involved.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 explains that in considering whether to grant permission for developments affecting listed buildings or their setting, 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.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

Paragraph 199 of the 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.

Paragraph 202 states that, 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. This is also reflected in Policy HE1 of the Local Plan.

Policy HE1 of the Warwick District Local Plan 2011-2029 states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The existing windows are timber framed, and although repaired over the years, have been retained as single glazed to protect the integrity of the heritage asset. The proposed windows are timber framed and double glazed. Even slight differences between historic fabric and proposed replacements can have a significantly harmful effect on the integrity and significance of a listed building. In this case the proposed units have a visible internal parting bead and noticeable depth between the two plates of glass. This markedly contrasts with the slender structural glazing bars and single glass elements.

The rationale behind the proposed replacement appears to be greater energy efficiency, an approach which is supported in overall terms. The introduction of increasingly energy efficient windows would generate a public benefit in terms of sustainability, however in this case, Officers consider that the public benefit involved is significantly outweighed by the harm to the Listed Building.

The Council's guidance on energy efficiency for historic buildings on the WDC website encourages householders to take a "whole building approach" to energy efficiency and advises that the replacement of historic or original windows will only be considered whether they are beyond repair. The guidance sets out that the use of double-glazed windows is not generally acceptable for Listed Buildings and encourages the consideration of secondary glazing which can often be undertaken without the need for Listed Building consent.

Secondary glazed units will promote greater energy efficiency and, if fitted discretely, need not affect the character of the building. Modified shutters with insulation can also reduce heat loss by 60% when closed, with secondary glazing this increases to 77%. Alongside this, we also recommend draft-proofing and regular maintenance of window units to noticeably improve thermal performance.

When considering windows to a less sensitive elevation, in this instance the north and west facing elevation onto modern development, double glazing could be considered. The use of a slim double-glazed unit, at a maximum of 14mm, and the retention of single glazing to the street fronting elevations would support the retention of the significance of this heritage asset in an unsympathetic setting. The applicant wishes to proceed with proposals that replace windows on all elevations, and therefore the application has been recommended for refusal.

Double glazing as a potential public benefit in terms of environmental impact has been considered however it is felt that there are less harmful avenues available which will allow for energy efficiency to be improved which will result in significantly less harm to the Listed Building. The level of public benefit is not considered to outweigh the extent of harm caused to the listed building and its historic character.

This building has already undergone a large amount of alteration, which has stripped a lot of historic character and detail from the building therefore this heightens the importance of protecting the integrity and character of the heritage asset where it can be preserved to prevent continual gradual erosion resulting in a complete loss of significance.

This building is not only listed but also holds a prominent position within Warwick, opposite the main bus station and as such, is one of the first buildings seen when visitors come to the town.

The windows may have been replaced previously but they have been retained as single glazed which minimised any impact on the listed building. Double glazed windows are incongruous features in listed building, undermining the character with the sight lines felt to be harmful to the integrity of the heritage asset.

It is accepted that improved thermal efficiency would result in a lower carbon footprint for the building which could be considered to be a public benefit. However, it has not been demonstrated that the same public benefit could not be accrued (as outlined above) without resulting in the harm identified. The weight to be attached to this public benefit is therefore very limited.

The harm would be categorised as "less than substantial" for the purposes of paragraph 202 of the NPPF. However, the public benefits do not outweigh the harm. The proposals are therefore contrary to Local Plan Policies HE1, and the Council's 'Windows in Listed Buildings and Conservation Areas' Supplementary Planning Document.

In addition, Policy BE1 states development must reflect, respect and reinforce local architectural and historical distinctiveness. For the aforementioned reasons, it is not considered proposals comply with this policy.

Impact of the proposal on amenity

Policy BE3 of the Warwick District Local Plan seeks to ensure development proposals do not result in an adverse impact on the amenity of neighbouring residential dwellings or significantly impact the amenity of existing and future occupiers of the development site.

All windows are replacing those that are existing, and no new openings are being proposed. The replacement windows therefore have no harm or additional impact on amenity, and the proposals are considered to comply with Local Plan Policy BE3.

CONCLUSION

It is considered that this proposal results in a detrimental impact to the significance of the designated heritage asset and the public benefits do not balance, when weighed against the less than substantial harm. The visual impact to the sensitive elevations of double glazing will undermine the historic character and overall significance of this listed building and it is felt there are less harmful avenues available to achieve improved energy efficiency at the property. The application is felt to be contrary to Local Plan Policy HE1, BE1 and the relevant sections of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990 and as such, it is recommended for refusal.

REFUSAL REASON

1 Policy HE1 of the Warwick District Local Plan 2011-2029 and the NPPF state that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Local Plan Policy HE2 recommends resisting alterations which would have an adverse effect upon the overall character of the conservation area. Local Plan Policy BE1 states development must reflect, respect and reinforce local architectural and historical distinctiveness.

In the opinion of the Local Planning Authority, the proposed double-glazed units would result in less than substantial harm to the significance of the listed building and conservation area and there are considered to be no public benefits which outweigh this harm.

The development is thereby considered to be contrary to the aforementioned policies.
