

38/2006/239LB

MR & MRS RODERICK

**INSTALLATION OF 2 REPLACEMENT SASH WINDOWS ON FIRST FLOOR OF FRONT ELEVATION AND RETENTION OF 8 WINDOWS TO FRONT AND REAR, THE OLD BEAR RESTAURANT, 14 UPPER HIGH STREET, TAUNTON**

322507/124170

LISTED BUILDING CONSENT-WORKS

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**PROPOSAL**

The proposal is largely retrospective, and comprises the retention of 4 No. recently installed modern sash windows to the front elevation, the retention of 4 No. recently installed windows to the rear elevation, and the installation of 2 No. replacement sash windows to the first floor of the front elevation. The property is a 19<sup>th</sup> Century Grade II Listed Building. Whilst the proposal is identical to previous refusal 38/2005/473LB, additional information accompanies the current application, namely: vibration from heavy traffic resulted in panes of glass falling out onto the pavement; living conditions were very noisy; the windows were deteriorating and rotten; the applicants were unaware that listed building consent was required; the new windows have cost £20,000 to purchase and install; and the windows have been made by a master craftsman in order to replicate existing.

**CONSULTATIONS AND REPRESENTATIONS**

CONSERVATION OFFICER as per previous application:- 1. The replacement windows are all timber framed 6-over-6 sash types which match their respective original apertures; no historic masonry fabric appears to have been removed; 2. Double-glazed and tinted reflective glass is used for all lights in the replacement windows; 3. The dimensions of the glazing bars in the replacement windows are far too wide, giving them a very "heavy" appearance when contrasted against their slimmer counterparts in the originals (see Figures 2 & 3); glazing bar width is 41 mm compared to 16 mm; 4. Glazing bar profiles in the replacement windows are wrong; a broad double "ovolo" profile has been used to retain the double-glazing units instead of the elegant "lamb's tongue" of the originals; 5. Meeting rail dimensions on the replacement windows are comparable to those of the originals (which are most likely 20th century repaired sections anyway). The facade of any building is analogous to its "face" and replacement of 60% of the original windows on the main facade has significantly altered this building's appearance and character. The changes also make it sit somewhat uncomfortably with the adjoining buildings on the south side of Upper High Street and so its "group" value has also been impacted. Overall the building has suffered a considerable loss of historic fabric through unauthorised and illegal action on the part of the owner. Whilst I appreciate the issues with regard to noise, pollution and vibration from passing traffic on Upper High Street, none of these windows should have been removed without prior Listed Building Consent. Conservative repair of decayed fabric would most likely have saved the originals and careful application of secondary double glazing would have mitigated some of the environmental issues. The surviving pair of windows on the

main facade must be retained at all costs. Their measurements and profiles are crucial to the accurate reproduction of new windows to replace those already installed by the owner, all of which (8 in total) need to be removed. Consent for the current application should be REFUSED on the following grounds:- The development proposals will harm features of special or historic interest which the listed building possesses (EN16). This decision is made in accordance to policy EN16 of the Taunton Deane Local Plan, adopted November 2004. Enforcement proceedings should be instigated to effect the removal and suitable replacement of the eight new, unauthorised windows, subject to accurate recording of the surviving originals.

ONE LETTER OF OBJECTION has been received raising the following issues:- the personality of the modern windows are dominated by the modern broad glazing bars; no panes of glass have ever fallen out; and the applicants have a history of carrying out works without planning permission.

FOUR LETTERS OF SUPPORT have been received raising the following issues:- that the windows are of no discernible difference; that they represent a great improvement; and that the old windows were dangerous.

## **POLICY CONTEXT**

Taunton Deane Local Plan Policies EC16 and EN17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 seek to safeguard the character and appearance of listed buildings.

## **ASSESSMENT**

The new windows are wholly inappropriate and the character and appearance of the building has been significantly altered. The remaining 2 No. sash windows to the front elevation should be safeguarded. It is considered that the proposal is entirely unacceptable and should be refused, and that enforcement proceedings be instigated seeking removal of the new windows and their replacement with more suitable windows which accurately reflect the original

## **RECOMMENDATION**

Consent be REFUSED on the grounds that the proposal detracts from the character and appearance of the listed building and that enforcement and prosecution proceedings be instigated.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

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