

## **DELEGATED REPORT**

**Application No: 19/04469/LBA**

**Details of location and proposal and Relevant History:**

**Kilowatt House, North Road, Bathwick, Bath, Bath And North East Somerset**

Site Description:

Kilowatt House is a grade II listed building located in conservation area and world heritage site of Bath. This Modern movement house was constructed 1967-38 by Mollie Gerrard for Anthony Greenhill. The building was finished with Crittall windows; however, these were subsequently replaced.

Proposal:

External alterations for the replacement of existing single glazed metal casement doors and windows with new matching powder coated double glazed door and windows

History:

DC - 01/01831/FUL - RF - 9 October 2001 - Erection of a new detached garage and bedroom extension over existing garage

DC - 02/01049/FUL - PERMIT - 24 September 2002 - Construction of a detached garage and revised access drive

DC - 02/01065/LBA - CON - 6 September 2002 - Internal and external alterations to include refurbishment of external envelope and replacement of windows and doors

DC - 13/03980/LBA - CON - 5 November 2013 - Internal and external alterations for repairs to roof, external decoration and internal repair and redecoration

DC - 13/05054/LBA - CON - 21 February 2014 - Internal works to facilitate the conversion of existing garage to habitable room.

DC - 16/03749/FUL - PERMIT - 10 October 2016 - Installation of flue on outside wall

DC - 16/03750/LBA - CON - 10 October 2016 - Internal and external alterations for the installation of a woodburning stove in living room and flue on outside wall.

DC - 17/01193/FUL - PERMIT - 10 May 2017 - Remove painted wooden gates installed at some time in 2002 and replace with painted steel gates that are in keeping with style of building.

**Summary of Consultation/Representations:**

Bath Preservation Trust:

Kilowatt House is a Grade II house built in 1937-1938 for the acoustic engineer Anthony Greenhill and designed by Bath architect Mollie Taylor. An unusual example of Modern Movement architecture in Bath, it is valued for its experimental use of shape and design in which its extensive use of glass is a contributing factor to its unusual façade.

In principle, BPT does not object to the sensitive and appropriate retrofit of historic windows to improve their energy performance as well as the sustainable residential function of listed buildings. Should windows be suitably proven to be of non-historic origin, we are not opposed to the replacement of window panes with slimline double glazing, so long as this option is of no detriment to existing historic fabric such as any original historic window fittings or frames.

Following consideration of this application, we appreciate the functional need to retrofit Kilowatt House's windows in their entirety. Due to the substantial amount of single glazing, we appreciate the applicant's report of heating difficulties and consequent moisture issues, and the impracticality of installing secondary glazing due to the size of windows along the building's northern elevation. We note that actual Crittal-style steel windows have been rejected in favour of aluminium; we appreciate the reasons given due to thermal bridging.

However, we are unable to make a fully-informed judgement regarding the suitability of this application due to the insufficient documentation supplied. Detailed existing and proposed window sections need to be provided to assess the proposed frame and glazing bar profiles, and the thickness of the double glazing, and whether this will be compatible with the building's existing window reveals. It is also important in confirming that there will be no change in design or appearance to ensure that the listed façade of Kilowatt House is positively retained.

Furthermore, the Trust would recommend that the applicant considers a "whole house" approach in conjunction with the potential for window replacements. We advise that factors such as current insulation, ventilation, and heating practices should be included within schemes of thermal improvement to ensure that any changes made are sustainable and without unintended consequences for the rest of the building and its historic fabric. We note there are significant humidity factors and it is important to understand how, or whether, the new windows will alter this. Air circulation plans should therefore be a consideration in this application.

Therefore, whilst we are usually supportive of sensitive retrofitting measures that do not result in a loss of historic fabric, aesthetics, or associated significance, we are unable to fully assess the suitability of this application without the provision of window sections in accordance with Policy BD1 of the Core Strategy and Placemaking Plan. We would additionally encourage the monitoring of the existing windows' performance and ventilation before and after installation (to be established by condition), in order to improve the dataset of the impact of double glazing in listed structures, and the consideration of additional retrofitting measures within this application to formulate a more informed programme of thermal improvement that will ensure the improved health and function of the whole building.

### **Policies/Legislation:**

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works 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.

With respect to any buildings or other land in a conservation area the Council has a statutory requirement under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

The Revised National Planning Policy Framework (NPPF) 2019 is national policy in the conservation and enhancement of the historic environment which must be taken into account by the Council together with the related guidance given in the Planning Practice Guidance (PPG).

The Council must have regard to its development plan where material in considering whether to grant listed building consent for any works.

The statutory Development Plan for B&NES comprises:

- Core Strategy (July 2014)
- Placemaking Plan (July 2017)
- B&NES Local Plan (2007) - only saved Policy GDS.1 relating to 4 part implemented sites
- Joint Waste Core Strategy
- Made Neighbourhood Plans

Core Strategy:

The Core Strategy for Bath and North East Somerset was formally adopted by the Council on 10th July 2014. The following policies of the Core Strategy are relevant to the determination of this application:

- CP6 - Environmental quality
- B4 - The World Heritage Site
- CP1 Retrofitting Existing Buildings
- CP2 Sustainable Construction

Placemaking Plan:

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan are relevant to the determination of this application:

- HE1 Historic Environment

### **Officer Assessment:**

The application seeks consent to replace the windows and doors within the property. The building is an unusual example of a Modern Movement house in Bath and the large expanse of glazing is a key feature. The building was designed and finished using metal windows; however, these were subsequently replaced in the 1970s with modern, single glazed steel windows which were different in their design to the original. The openings have also been altered in size in various places. The agent has provided an assessment of the windows and doors which highlights the changes which have been undertaken prior to listing.

The current windows are in a poor condition and there is evidence of rusting which has continued despite repairs and re-painting. The windows are also single glazed which has resulted in excessive condensation and heat loss.

The applicants have considered secondary glazing and replacement. Given that the current windows are in a poor condition and not original, the benefits of secondary glazing are limited. The applicants have highlighted the advantages of replacing with modern aluminium double glazed units including the reduction in heat loss and improvement of the internal environment to address condensation issues.

The existing windows are modern units and therefore the principle of their replacement is considered acceptable. The application must assess whether the proposed replacement windows will cause harm to the significance of the listed building. The significance of the listed building in particular relates to the architect, its original owner and the simple geometry of the design incorporating asymmetric curving forms and long horizontal lines. As noted the original windows no longer survive. It is not therefore considered that replication of single glazed windows is essential here. The submitted information has provided a comparison between the existing windows, the original Crittal style windows and the proposed double glazed units. In respect of the proposed double glazing, there will be some changes to the form of the windows. In particular, due to the increase in thickness of the glass, the frame of the windows will be larger where there

are opening lights. Applied glazing bars are proposed to achieve a narrow bar. This will also avoid thermal bridging and condensation issues. Applied bars are not normally supported; however, Historic England have advised that these may be acceptable in special circumstances where the original windows have been lost and the original narrow bars cannot be achieved.

These changes in the design of the windows will affect their overall appearance and the generally appearance of the building. A degree of subtlety which existed in the original windows and to some extent their later replacements will be lost. This, on balance, is considered to cause less than substantial harm. The harm is considered to be at the lowest end of the spectrum and must be weighed against the benefits. In this case, the existing windows are not of historic interest and are at the end of their life span and replacement is inevitable. The proposed windows will provide a thermally efficient solution which is of an acceptable appearance and will support the long term use of the building. This public benefit is considered to outweigh the level of harm.

A comment has been received requesting that a condition is attached to ensure monitoring of the windows performance and ventilation before and after installation to improve dataset and formulate an informed programme of thermal improvement. In this case it is not considered that a condition would be reasonable to require an applicant to undertake the requested research. However, this does not prevent the applicant from undertaking the research if they wish.

There is a duty under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, when considering whether to grant listed building consent for any works, 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. Here it is considered that the proposals are consistent with the aims and requirements of the primary legislation and planning policy and guidance. For the reasons set out above, the proposals would be an acceptable alteration to the listed building that preserves its significance as a designated heritage asset. The proposal accords with policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017) and part 16 of the NPPF.

There is also a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. Here it is considered that the proposals are consistent with the aims and requirements of the primary legislation and planning policy and guidance including the Council's specialist guidance, policy HE1 of the Placemaking Plan for Bath and North East Somerset (2017) and part 16 of the NPPF. For the reasons set out above, the proposals would be an acceptable alteration to the listed building that preserve its architectural interest and character and will preserve and enhance the setting and appearance of the conservation area.

Low Carbon and Sustainable Credentials:

The policies contained within the development plan are aimed at ensuring development is sustainable and that the impacts on climate change are minimised and, where necessary, mitigated. A number of policies specifically relate to measures aimed at minimising carbon emissions and impacts on climate change. This application involves a listed building and has been assessed against the relevant policies and guidance as identified, and these have been fully taken into account in the recommendation made. In this case, the works will result in more thermally efficient windows throughout the building.

**Recommendation:**

**CONSENT**

**1 Time Limit - Listed Building Consent (Compliance)**

The works hereby approved shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

## **2 Plans List (Compliance)**

The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.

Reason: To define the terms and extent of the permission.

## **PLANS LIST:**

3624-08 dated 23rd March  
ENQ-PC-D01 A dated 12th January 2021  
3624-02A dated 3rd June 2020  
Block Plan and Location Plan dated 11th October 2019

## **Condition Categories**

The heading of each condition gives an indication of the type of condition and what is required by it. There are 4 broad categories:

**Compliance** - The condition specifies matters to which you must comply. These conditions do not require the submission of additional details and do not need to be discharged.

**Pre-commencement** - The condition requires the submission and approval of further information, drawings or details before any work begins on the approved development. The condition will list any specific works which are exempted from this restriction, e.g. ground investigations, remediation works, etc.

**Pre-occupation** - The condition requires the submission and approval of further information, drawings or details before occupation of all or part of the approved development.

**Bespoke Trigger** - The condition contains a bespoke trigger which requires the submission and approval of further information, drawings or details before a specific action occurs.

Please note all conditions should be read fully as these headings are intended as a guide only.

Where approval of further information is required you will need to submit an application to Discharge Conditions and pay the relevant fee via the Planning Portal at [www.planningportal.co.uk](http://www.planningportal.co.uk) or post to Planning Services, Lewis House, Manvers Street, Bath, BA1 1JG.

## **Responding to Climate Change (Informative):**

The council is committed to responding to climate change. You are advised to consider sustainable construction when undertaking the approved development and consider using measures aimed at minimising carbon emissions and impacts on climate change.

## **Community Infrastructure Levy**

You are advised that as of 6 April 2015, the Bath & North East Somerset Community Infrastructure Levy (CIL) Charging Schedule came into effect. **Before** commencing any development on site you should ensure you are familiar with the CIL process. If the development approved by this permission is CIL liable there are requirements to assume liability and notify the Council before

development commences, failure to comply with the regulations can result in surcharges and additional payments. Full details about the CIL Charge including, amount and process for payment will be sent out in a CIL Liability Notice which you will receive shortly. Further details are available here: [www.bathnes.gov.uk/cil](http://www.bathnes.gov.uk/cil)

### **Permit/Consent Decision Making Statement**

In determining this application the Local Planning Authority considers it has complied with the aims of paragraph 38 of the National Planning Policy Framework.

**Case Officer:**

Laura Batham

**Authorising Officer:**

Richard Stott