
Appeal Decision

Site visit made on 4 May 2017

by Elaine Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 May 2017

Appeal Ref: APP/N5660/W/17/3167921

1 Thirlmere Road, London SW16 1QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Miss Sarah Levy against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/06610/FUL, dated 23 November 2016, was refused by notice dated 17 January 2017.
 - The development proposed is described as 'replacement of windows in front, side and rear facades'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the conservation area.

Reasons

3. The appeal site is located within the Streatham Park and Garrads Road Conservation Area (CA). The CA is primarily characterised by residential development of a suburban character.
 4. The appeal site is a first floor flat within the property at 1 Thirlmere Road. It is one of a pair of handsome buildings whose brick elevations contain central projecting bays with decorative dormers at the top. The tall windows have brick surrounds of a contrasting colour, and oculus windows are set above the decorative door surrounds. These features are all characteristic of the style of the building, which makes a positive contribution to the significance of the CA. Despite some unsympathetic alterations, the overall architectural integrity of the building has not been unacceptably diminished.
 5. The proposal would replace a total of eight windows to the rear, side and front elevations of the flat. The existing windows are of a traditional style, comprising plain lower casements and smaller multi-paned upper casements. The windows to the front contain a number of coloured panes within the upper sections. The smaller side window, which serves the bathroom, is a single-paned casement window. The majority of the windows are of single-glazed timber, except for those to the front elevation whose plain lower sections are later double-glazed inserts.
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6. It is proposed to replace all the existing windows with uPVC windows set within the existing openings. The Council's document entitled 'Building Alterations and Extensions Supplementary Planning Document' (SPD, September 2015) sets out guidelines for the replacement of windows. It states that in order to protect the character of the building, any replacement windows should replicate the appearance, detailing and opening type of the originals.
7. The new windows would reproduce the overall pattern of the existing windows, and to that extent would reflect their character. However, uPVC is a synthetic material whose smooth, shiny, modern appearance would not satisfactorily capture the character of the traditional painted timber finish of the existing windows. As a result, the development would appear discordant, and out of keeping with its historic context.
8. The SPD states that proposals for replacement windows should contain detailed drawings of the original and proposed windows, for ease of comparison. In this case, although large-scale details of the proposed windows have been submitted, there are no comparative details of the existing windows. Therefore, even if uPVC could be considered an acceptable replacement material, there is insufficient information to show that the proposed windows would accurately replicate the details and dimensions of the existing windows.
9. However, it is clear from the submissions that the new windows would have glazing bars comprising internal spacers with externally applied bars. The SPD states that these are a poor substitute for authentic glazing bars, and that new glazing should generally have a treatment externally which accurately reproduces a traditional putty finish. In addition, the new multi-paned upper casements would be top hung. This would be a non-traditional opening mechanism which would fail to replicate the side hung opening mechanisms of a number of the upper casements that I observed on my site visit. Therefore, in both these respects, the scheme would fail to comply with the SPD advice.
10. Taking all of these factors in combination, I conclude that the proposed new windows would harm the appearance of the appeal building, thus failing to preserve the character or appearance of the wider conservation area. It would thus be contrary to Policy Q22 of the Lambeth Local Plan (LLP, September 2015), which seeks to preserve or enhance the character or appearance of conservation areas. It would also be contrary to LLP Policy Q11, which amongst other things expects proposals to respond positively to the original fenestration of the building in terms of design, materials and means of opening. It would further conflict with the guidance material within the SPD, and finally, the duty to preserve the character or appearance of the conservation area would not be satisfied.
11. I accept that uPVC windows have been installed in the ground floor flat and the upper level flat at No 1. However, these have a demonstrably harmful effect on the CA, and their presence does not justify the further harm that would result from the proposed development. On my site visit, I noted that the neighbouring building, which mirrors No 1, still retains the traditional timber windows on the ground and first floors. Therefore, the proposal would further harm the unity of appearance of the pair of buildings, which it appears were designed to be identical. I note also that the downstairs flat has a uPVC conservatory. However, I am unaware of the planning history of this structure, and its presence has not led me to a different conclusion.

12. My attention has been drawn to a number of other existing uPVC windows in the area. However, I am not aware of the planning history of these developments, and in any case, I have considered the appeal scheme on its own merits. The appellant states that more than half the buildings within the block have uPVC windows. Nonetheless, the appellant has not provided any detailed evidence to define this area, or to specify the particular buildings alluded to. Moreover, I saw on my visit that many nearby buildings have retained timber windows of traditional style and detailing, particularly on the west side of Thirlmere Road. As a result, I conclude that timber windows continue to inform strongly the character and appearance of this part of the CA.
13. I note the appellant's concern regarding the condition of the exiting windows. On my visit, I saw that some individual casements have been painted shut, whilst others are difficult to open, and that, overall, the windows are in need of repair. I understand the appellant's concern over issues such as the lack of safety features, the potential health problems arising from the presence of mould, and general problems with noise, damp, cold, and poor ventilation.
14. However, all of these issues could be addressed independently of the appeal scheme, and would not justify the replacement of the windows in unsympathetic materials to an inappropriate design. The appellant also raises concerns regarding the cost of replacing the windows in timber. Whilst I acknowledge this concern, it would not justify the harm I have identified.

Conclusion

15. Whilst the harm to the significance of the conservation area would be less than substantial (in terms of the phraseology used in the National Planning Policy Framework), this does not mean that the harm would not be significant. Furthermore, I have not been provided with any compelling evidence of any public benefits that would outweigh that harm.
16. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR