



Appeal Decision

Site visit made on 24 October 2017

by B Bowker Mplan MRTPI

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

Decision date: 22nd November 2017

Appeal Ref: APP/N5660/W/17/3179468

Crozier House, 17 Wilkinson Street, London SW8 1DQ

- 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 Mr Sajid Rehman, on behalf of Allsop Letting & Management against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 17/01107/FUL, dated 6 March 2017, was refused by notice dated 22 May 2017.
 - The development proposed is to replace the existing white timber frame single glazed windows and doors with new white UPVC double glazed windows and doors to match the existing design.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal preserves or enhances the character or appearance of the Albert Square Conservation Area (ASCA).

Reasons

3. Crozier House is a comparatively modern four storey block of residential flats located within the ASCA. Three storey Victorian terraces are directly to the north and east of the site. Both Victorian terraces contain traditional timber windows to the front and rear, and lead towards Albert Square to the south east of the site. The terraces make a positive contribution to the significance of the ASCA, and I agree with the Council that the timber joinery forms an important part of this contribution.
4. The ASCA Statement states that the appeal building makes a negative contribution to the ASCA. Nonetheless, the scale, layout and siting of Crozier House give it a strong visual association with the surrounding Victorian terraces rather than with St Stephen's Church. The rear and side elevations of Crozier House face towards a car parking and access area that is partly enclosed by St Stephen's Church and Mytton House. Both buildings are of modern design and contain UPVC windows.
5. Policies Q5 and Q22 of the Local Plan (LP) are of most relevance to matters of local distinctiveness and built heritage. Combined these policies seek to ensure that development is designed positively to reinforce local distinctiveness and preserve or enhance the character or appearance of conservation areas by respecting and reinforcing positive characteristics.

6. In addition, I have a statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This is a consideration that the Courts have held to be of considerable importance and weight.
7. Although the appeal building is comparatively modern in design and considered as a negative contributor to the ASCA, its use of timber doors and windows complement the slender timber framed counterparts at the surrounding Victorian terraces. The proposal would result in non-traditional material doors and windows in close proximity to adjoining Victorian terraced properties.
8. I note the supporting documentation and quotation specification submitted to illustrate the detailed appearance of the proposed windows and doors. However, despite the intended high quality and matching design, the comparatively bulky and manufactured appearance of the modern UPVC doors and windows would be a noticeable and jarring addition when viewed next to the timber counterparts at surrounding Victorian terraces. This resultant harm would be particularly noticeable when viewed from Wilkinson Street.
9. The windows and doors proposed to the rear elevation would not be as visible from Wilkinson Street. However, unlike the windows and doors at St Stephen's Church and Mytton House, the proposal would be viewed alongside the rear of the Victorian terrace which contains timber windows. In addition, the windows proposed to the side elevation would be visible from vantage points along Wilkinson Street, and would be seen as part of the wider appeal building which has a strong visual association with the adjoining Victorian terrace.
10. Thus I cannot agree with the appellant that the proposal would improve the appearance of the building or reduce its negative contribution to the ASCA. Moreover the proposal would diminish the positive contribution the surrounding Victorian terraces make to the ASCA as a whole.
11. In the context of paragraphs 131 - 134 of the National Planning Policy Framework (the Framework), I consider the extent of harm to the significance of the ASCA to be less than substantial. In such circumstances, the Framework advises to weigh harm against the public benefits associated with the proposal.
12. The proposal would improve the energy efficiency, sound insulation, occupant life quality and replace openings in need of repair with recyclable windows and doors that would be durable and maintenance free in the long term. In this respect, I note that two letters of support have been submitted from occupants of the appeal building. Whilst the harm of the proposal to the ASCA would be less than substantial, the Act is clear that such harm should be given considerable importance and weight. In this context, the considerable weight afforded to the harm of the proposal to the ASCA would outweigh the combined weight afforded to the benefits described above.
13. In reaching this view I acknowledge that paragraphs 58-60 of the Framework states that architectural styles or particular tastes should not be imposed and that innovation should not be prevented. Nonetheless, paragraphs 56, 60 and 64 highlight that it is proper to promote local distinctiveness and that permission should be refused for poorly designed development. Based on my reasoning above, the proposal would be deficient in this respect. Nor does the

absence of an objection to the proposal from Statutory Bodies or Local Amenity Groups justify or remove the harm identified above.

14. I also note that the Council state that it would support the sympathetic redevelopment/enhancement of buildings that make a negative contribution to the ASCA. However, based on my reasoning above, the proposal would not be sympathetic nor represent an enhancement to the building.
15. Therefore the proposal would not preserve nor enhance the character or appearance of the ASCA and would be contrary to paragraphs 131 - 134 of the Framework and LP policies Q5 and Q22, the requirements of which are set out above.

Other Matters

16. In reaching my decision I acknowledge that no concern is raised by the Council in respect of other considerations, such as neighbouring living conditions. However, an absence of harm in other respects would not change the overall planning balance, which includes the exercise of balancing harm against public benefits as undertaken above.
17. The Framework identifies three dimensions¹ to sustainable development that should be sought simultaneously through the planning system. However, based on the harm identified to the ASCA above, the proposal would be deficient in respect of the environmental dimension. Consequently the proposal would not represent sustainable development as defined and sought by the Framework.

Conclusion

18. For the reasons given above, and having taken all matters raised into account, I conclude that the appeal should be dismissed.

B Bowker

INSPECTOR

¹ Economic, social and environmental