
Appeal Decision

Site visit made on 5 November 2019

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2019

Appeal Ref: APP/C5690/W/19/3235963

1A Wickham Road, London SE4 1PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr J Meares, Desiman Ltd, against the Council of the London Borough of Lewisham.
 - The application Ref DC/18/109739, is dated 15 November 2018.
 - The development proposed is the installation of replacement upvc/aluminium windows to the front, rear and side elevations of 1A Wickham Road.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description of development on the application form is "window replacement". The Council changed the description to that provided above and informed the appellant of the change. The appellant did not disagree with the proposed change. The Council dealt with the proposal on this basis and so have I.

Main Issue

3. The main issue is whether the proposed replacement windows would preserve or enhance the character or appearance of the Brockley Conservation Area (CA).

Reasons

4. The site comprises a four-storey, detached block of flats, built around the 1950s/60s, constructed mainly of brick. It has timber casement windows divided with both vertical and horizontal glazing bars, typical of the period but bearing no resemblance to the window design of older properties in the CA. The building is set back around 8 m from the pavement edge on a tree-lined street. However, the 3 elevations within which windows would be replaced would all be clearly visible from public vantage points, particularly when the trees have shed their leaves.
5. The site is located within the Brockley CA, which is characterised by traditionally designed properties. The area includes several wide tree-lined roads. Window design, and the materials used, is a key feature of the CA. Alterations to them is discouraged as is the use of upvc or aluminium materials. I appreciate that, in addition to the properties of historic

significance, the relatively large area that the CA encompasses inevitably includes modern buildings that either do not positively contribute to it, or indeed detract from it. I consider the appeal building to be one such property.

6. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of a CA, which is therefore a matter of considerable importance and weight. In addition, paragraph 193 of the National Planning Policy Framework (the Framework) requires decision-makers to give great weight to the conservation of a designated heritage asset. CAs are designated heritage assets.
7. The proposed windows are designed with a vertical emphasis and would be set-back 122 mm in their reveals. Although the depth of set-back is more in keeping with that of traditional windows of properties in the area, the proposed materials of upvc/aluminium is not. Although not a traditionally designed building, the existing timber window frames softens the extent to which the building detracts from the CA. In contrast, due to their chunky frame profile, engineered appearance and manufactured finish, the proposed windows would be more prominent within the fabric of the building and as such would increase the extent to which the building detracts from the CA. Consequently, the proposed windows would not preserve, nor enhance, the character or appearance of the CA.
8. I acknowledge that 2 other non-traditional blocks of flats on the street now have upvc windows, following the grant of planning permission. The appellant makes comparisons between these properties and the appeal building in support of the proposal. However, I do not know the full details of these cases, and in any event each case must be determined on its own merits. In addition, I note that there are other non-traditional buildings in the CA which have traditionally designed, timber windows. Furthermore, the presence of insensitive alterations and/or modern additions does not justify permitting what I consider would be further erosion of key features of the CA that positively contribute to its character and appearance.
9. I appreciate that many of the existing timber window frames and fittings are in poor condition and no doubt have poor thermal performance. The proposed windows would ensure less maintenance and repair, greater thermal efficiency and cost savings to occupants.
10. With regards to Paragraph 196 of the Framework, I consider the extent of the harm identified would be less than substantial. As such, the harm should be weighed against the public benefits. Greater thermal efficiency would be a public benefit. However, I do not consider that this, or the personal benefits to occupants, individually or collectively outweigh the environmental harm to the CA I have identified.
11. In light of the above, the proposed development would not accord with policies 15 and 16 of the Core Strategy: Development plan document (2011), 30, 31 and 36 of the Lewisham local development framework: Development management Local Plan (2014), 7.4 and 7.8 of The London Plan: Consolidated with alterations 2011 (2016) or heritage policies in the Framework. These policies collectively, and among other things, seek to ensure developments are of the highest quality design, use materials compatible with the special characteristics of the area, and protect or enhance heritage assets.

Conclusion

12. For the reasons outlined above, I conclude the appeal is dismissed.

J Williamson
INSPECTOR