The Planning Inspectorate

Appeal Decision

Site visit made on 3 December 2019

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 05 December 2019

Appeal Ref: APP/H5960/D/19/3240178
122 Huntingfield Road, London SW15 5ET

- 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 Mrs Natalia Fomicheva against the decision of the Council of the London Borough of Wandsworth.
- The application Ref 2019/2571, dated 11 June 2019, was refused by notice dated 12 September 2019.
- The development proposed is replacement of 3 windows to the front of the house.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of Dover House Estate Conservation Area (the Conservation Area).

Reasons

3. The site is located within the Conservation Area. The Conservation Area has been designated to cover what originated as a 1920s council estate. The significance of the Conservation Area is derived from the formal, planned layout and character of the estate, which includes the use of repeated building forms, regular street dimensions, and the provision of enclosed front gardens. Significance also resides in the extent to which many of these defining characteristics remain intact.

4. The terrace of which No 122 forms part, is an integral component of the estate. As such it makes a generally positive contribution to the character, appearance and significance of the Conservation Area. Given the corresponding heritage interest the terrace holds in this context, it is appropriate to treat it as a non-designated heritage asset, as is defined in the Glossary of the National Planning Policy Framework (the Framework).

5. The Dover House Conservation Area Appraisal, dated 2007 (the Appraisal), identifies the important contribution that individual building components such as windows make to the character of the estate. In this regard an Article 4 Direction has been imposed which restricts the permitted change of windows. It is in this context that the application arose.

6. The Appraisal maps the window types originally fitted when the estate was built. The terrace of which No 122 forms part featured timber sash windows.

These appear to survive at both No 122, and next door at 120 Huntingfield Road. These timber sash windows are clearly recognisable and distinctive features, and they make a significant contribution to architectural character and appearance of the terrace. This is made all the more so because the windows of the other 6 dwellings forming part of the terrace differ, having already been subject to replacement by windows whose style and type varies, most of which are made of plastic. I have no indication of whether or not these replacements were lawful. Either way, I consider that past replacements in designs and materials which obviously do not match those of the windows originally fitted, has undermined the visual integrity of the terrace, harming its architectural character and the contribution it makes to that of the Conservation Area.

7. Walking around the estate, and more particularly those parts which originally featured timber sash windows, replacements in both timber and plastic are readily apparent. Quality varies, particularly in terms of the finer detailing. Regardless of this however, plastic sash windows are particularly noticeable given their synthetic appearance. This bears little resemblance to painted timber. Notwithstanding the overall frequency of such replacements, use of plastic for replacement windows in this context does little to complement the original visual character of the estate.

8. The Appraisal, which also sets out a management strategy for the Conservation Area, indicates that the Council accepts both the replacement of windows, and the use of double glazing within these replacements. It nonetheless also states that replacement windows should match.

9. In this regard, the small diagrams attached to submitted Retail Survey Report provide a limited basis upon which make an assessment of the proposed window designs. However, whilst I note that the appellant states that the designs would match, the diagrams suggest a different arrangement at the meeting rail, which appears thicker than that on the existing windows. The windows would otherwise be manufactured in plastic, which, as noted above, bears little resemblance to painted timber. On this basis, the proposed replacements would clearly not match the existing windows. This would compound the harm caused by the replacement of windows elsewhere within both the terrace and the Conservation Area, and this would be highlighted in direct contrast to the original timber sash windows retained next door at No 124.

10. In view of my reasons above, I find that the development would not preserve or enhance the character or appearance of the Conservation Area. Additionally, it would cause harm to the significance of a non-designated heritage asset. Consequently, and with regard to paragraph 196 of the Framework, I find that the development would cause less than substantial harm to the significance of the Conservation Area.

11. Having regard to the considerable importance and weight to be given to the statutory objective of preserving or enhancing conservation areas, I attach considerable importance and weight to the harm that would arise. I accept that the scheme would see more thermally efficient windows installed. The level of public benefit this would deliver would however be very minor. Moreover, the same benefit could be delivered by replacement windows whose design was more sympathetic than those proposed, or indeed by other measures outlined

in the Appraisal. As such this consideration is insufficient to outweigh the harm caused to the character and appearance of the Conservation Area.

12. In view of my reasons above I conclude therefore that the development would conflict with Policy IS3 of the Wandsworth Local Plan Core Strategy Adopted March 2016, which amongst other things seeks to protect and reinforce the existing varied character and heritage of the Borough; Policy DMS2 of the Wandsworth Local Plan Development Management Policies Document Adopted March 2016 (the DMP) which requires development to sustain, conserve and, where appropriate, enhance the significance, appearance and character of heritage assets; and supporting guidance set out in the Appraisal. Whilst the Council also cited Policies DMS1 and DMH5 of the DMP in its decision, neither contains provisions which appear to be directly applicable to the development in question. Though generalised reference is also made to the Housing Supplementary Planning Document 2016, I have not been provided with a copy of this document.

Other Matters

13. I note reference to communications between the appellant and the Council prior to submission of the planning application. Though the content of the officer report might be taken to imply that refusal was inevitable, the Council did not explicitly state this when advising the appellant that planning permission would be required. It is however not the purpose of this decision to establish whether or not the Council acted unreasonably in this regard. Furthermore, this matter otherwise has little bearing on my consideration of the merits of the appeal scheme as set out in my reasons above.

14. I appreciate that the appellant has sought to engage a reputable firm, and that compliance with the standards governing the manufacture of modern windows has been considered. This does not however alter the fact that the proposed windows would fail to preserve or enhance the character or appearance of the Conservation Area, or lend any weight in favour of the scheme.

Conclusion

15. For the reasons set out above I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR