



Appeal Decision

Site visit made on 13 January 2020

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2020

Appeal Ref: APP/N5660/W/19/3238202

5 Fentiman House, 2 Fentiman Road, London SW8 1LE

- 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 Russell Windram against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/01470/FUL, dated 29 April 2019, was refused by notice dated 2 August 2019.
 - The development proposed is described as "to replace existing single glazed ageing steel windows to this first floor flat with new thermally efficient ultra slim profile, double glazed, powder coated aluminium windows in white. All glazing fenestration to match existing with the slim profile of the steel windows retained. Window fitting will remain the same, i.e. into the existing sub-frames."
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposal would preserve or enhance the character or appearance of the St Marks Conservation Area.

Reasons

3. The appeal site lies within the St Marks Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
4. The appeal site is a first floor flat which forms part of a three storey building over semi-basement. The building occupies a prominent position at the end of a mid-19th century terrace, with its front, side and rear elevations visible from Fentiman Road and Trigon Road. These streets are characterised by terraced housing, which through the distinctive and uniform qualities of their architectural features, and the retention of their original detailing and materials, including windows, contribute to the essential character and significance of the CA. Whilst the appeal building is a much later addition, through its scale, materials and unified window composition, it is sympathetic to its surroundings.
5. Most of the flats in the appeal building, apart from flat 7 on the second floor, have retained the original single glazed, metal Crittall-type windows. These windows are an important component in defining the architectural character of the building and help to contextualise it within its more historic surroundings.

6. From the evidence, the windows in flat 7 are metal double glazed units, which the Council approved in 2015. The appellant states that the proposed windows would look identical to the windows in flat 7. Indeed, from the details accompanying the appeal, that appears likely.
7. During my site visit, I was easily able to identify the windows in flat 7 when stood in the street. Whilst their colour and framing pattern reflects that of the rest of the building, they have a smooth appearance which differs markedly from the hand painted original windows. The glazing bars are perfectly straight against the glass, which is very different to the putty-filled bars of the original windows, and it was very obvious that they are applied on top of the glass rather than being integral. The glazing bars are also much less pronounced, with a flat rather than pointed shape, and the glazing does not sit as deep within the panes. As a result, despite the relatively slim frames, the windows have an overall much flatter and noticeably more modern appearance than the original windows. In my judgement they have not achieved an appropriate match to the original windows. As such, I do not consider that they are a good example to follow.
8. Notwithstanding the above, those windows are still in the minority and at a high level, which lessens the impact on the building as a whole. However, due to the projection of the front bay and greater number and size of the windows therein, as well as being closer to street level, the proposed windows would be more prominent. When taken with the windows in flat 7, the visible differences between the new and old windows in the building would be even more pronounced and result in an uncoordinated variation of fenestration within the elevations. This would detract from the appearance of the building and diminish its contribution to the character and significance of the CA.
9. For the reasons above, therefore, I conclude that the replacement windows would fail to preserve or enhance the character or appearance of the CA, thereby causing harm to its significance as a designated heritage asset. It follows, that the proposal would be contrary to Policies Q5, Q8, Q11 and Q22 of the Lambeth Local Plan (2015). Amongst other things, they seek to ensure that development is a high quality that reinforces the positive characteristics of an area, including fenestration and articulation, in order to retain local distinctiveness, particularly in areas protected for their historic character. It would also be contrary to the Council's Building Alterations and Extension Supplementary Planning Document (2015), which requires that replacement windows should match the originals where the windows of individual flats are identical to those within the whole building giving unity of design, and also avoid stick on, or non-integral glazing bars.
10. In reasoning the above conclusion, I consider that the harm caused to the designated heritage asset would be 'less than substantial' in the parlance of the National Planning Policy Framework (the Framework). However, any harm requires clear and convincing justification and should be weighed against the public benefits.
11. I appreciate the practical difficulties in achieving window unity in a building with individual flats. I also acknowledge that the proposal would provide better thermal insulation and improve the internal conditions and temperature of the flat for the occupants. However, I do not consider that these matters represent

a public benefit which would convincingly outweigh the harm that would be caused to the designated heritage asset.

Conclusion

12. For the reasons set out, I conclude that the proposal would be contrary to the relevant identified policies of the development plan, and the Framework, and therefore the appeal should be dismissed.

Adrian Caines

INSPECTOR