
Appeal Decision

Site visit made on 4 November 2020

By H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2020

Appeal Ref: APP/P5870/W/19/3243652
35-37 High Street, Carshalton, SM5 3BB

- 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 N Gani (Ganco Assets Ltd) against the decision of London Borough of Sutton.
 - The application Ref. DM2019/00704, dated 21 April 2019, was refused by notice dated 29 October 2019.
 - The development is described as 'retrospective planning permission for the retention of replacement windows'.
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Decision

1. The appeal is allowed and planning permission is granted for replacement windows at 35-37 High Street, Carshalton, SM5 3BB, in accordance with the terms of the application Ref. DM2019/00704, dated 21 April 2019, and the plans submitted with it.

Procedural Matter

2. I have omitted reference to 'retrospective' and 'retention' from the description in the decision to reflect the definition of development in the Planning Acts.

Main Issue

3. The main issue is the effect of the replacement windows on the character and appearance of the appeal property and the Carshalton Village Conservation Area.

Reasons

4. The appeal property is located within the Carshalton Village Conservation Area (CA), and within Sub Area D (Carshalton High Street) identified in the 'Carshalton Village Conservation Area Character Appraisal and Management Plan', October 2019 (CAAMP). The building is not listed, but is noted in the CAAMP as a building of merit which makes a positive contribution to the CA, having been the former residence of a local historian. It is a late nineteenth century brick building (originally two) with a flint, tiled and stonework façade, set back behind neighbouring properties.
5. The CAAMP notes that the sub area is of mixed building quality, and that the northern side of the High Street in which the appeal property is sited has always been a problematic area which detracts from the character of the CA.

The appeal property forms part of a cluster of 'buildings of merit', but alongside others which the CAAMP advises are lacking appropriate character. In this context, Guideline SS4 of the CAAMP advises that landowners and developers should use any redevelopment of the northern side of the High Street to enhance the Conservation Area. In respect of the appeal property, this includes a requirement that any conversion should conserve and enhance the historic and aesthetic qualities that it brings to the Conservation Area. A weakness of Carshalton High Street noted in the CAAMP is the loss of original features, such as timber-framed windows.

6. Since the CAAMP was drafted the previously vacant appeal property has been converted to flats. The replacement windows¹ which have been installed are upvc, dark grey in colour and most appear to be top-opening casements. This creates the perception of a thick horizontal bar across the centre of each window, but does not mimic a sliding sash.
7. The appellant advises that the windows which were removed were a mix of 'modern' aluminium single glazed or upvc units that were of no heritage value and in a poor state of repair. Photographs supplied by the appellant show that at least some were top-hung casements, albeit in a white finish and with slimmer framing, and the Council also notes that the replaced windows were narrow-framed, sash style and appeared subordinate in the openings.
8. The High Street contains a wide mix of building styles and materials. There is no characteristic window style or material, and I share the appellant's view that the colour of the frames that have been installed complement the building's dark grey flint work on the front elevation. The stonework around the openings and the recessed frames ensure that the windows remain subservient features. Whilst I acknowledge the Council's view that the original windows to the building would likely have been timber, those which have been replaced were a mix of manmade materials and frame styles and of no architectural merit.
9. I understand the Council's view that the replacement windows do not relate sympathetically to the style of the original building and its architectural detailing, but I do not agree that the windows installed have failed to integrate successfully with the building and the historic environment. The replacement windows may have changed the appearance of the building to a degree, but this does not equate to harm.
10. There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising planning functions. This is reflected in Policy 30 of the Sutton Local Plan 2016-2031 (2018) (LP), which expects development that has an impact upon a heritage asset to conserve and, where practicable, enhance its significance. In this case, replacement of poor quality mismatched windows with a consistent style throughout is an enhancement to the benefit of the building and its immediate surroundings, and the character and appearance of the wider conservation area has been preserved. The Council does not appear to oppose manmade materials in principle, and I do not find the material used inappropriate given the range of frame materials in the vicinity.

¹ Plus one new ground floor window marked in 'Side Elevation B', and the loss of, or reconfiguration of, other openings.

11. I therefore conclude that the development has preserved the character and appearance of the appeal property and the Carshalton Village Conservation Area, in accordance with the aims of LP Policy 30, and LP Policy 28, which amongst other things requires alterations to be designed to the highest standard and to respond to local character and heritage assets. In accordance with Guideline SS4 of the CAAMP, the replacement windows have conserved and enhanced the historic and aesthetic qualities that the appeal building brings to the CA. Having regard to paragraph 196 of the National Planning Policy Framework, the change to the appearance of the building has not resulted in harm to the significance of the conservation area as a heritage asset.

Conclusion

12. For the above reasons, I conclude that this appeal should be allowed. Permission is granted unconditionally as the windows have already been installed.

H Lock

INSPECTOR