



Appeal Decision

Site visit made on 27 November 2020

by Sian Griffiths BSc(Hons) DipTP MScRealEst MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020.

Appeal Ref: APP/A5840/D/20/3257025

34 Sutherland Walk, London SE17 3EF

- 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 Ms Emma Karsten against the decision of Southwark Council.
 - The application Ref 19/AP/1543, dated 10 May 2019, was refused by notice dated 24 October 2019.
 - The development is described as conversion of garage into habitable room, replacement garage door with white uPVC window and installation of a side uPVC window.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of garage into habitable room, replacement of garage door with white uPVC window and installation of a side uPVC window at 34 Sutherland Walk, London SE17 3EF in accordance with the terms of the application, Ref 19/AP/1543, dated 10 May 2019 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Elevations Proposed (04) and Floor Plans (03).
 - 2) The works to add the remaining two side windows shall match in form, appearance, materials and colour the uPVC window that has already been installed.

Procedural Matter

2. At the site visit, I was able to see that the garage door had been replaced by the window and a habitable room created. The proposed window to the side elevation of the dwelling was absent and that the application was submitted retrospectively. I also note from the submissions that the principle for the replacement of the garage with a window on the ground floor is considered acceptable by the council. I have dealt with the appeal on that basis.
3. During the determination of the application, the council changed the description of development. I have used the description of development as shown on the decision notice, for the purposes of clarity and precision.

Main Issue

4. The main issue is the effect of the use of uPVC window materials on the character and appearance of the area.

Reasons

5. The appeal site falls within the Walworth Road Conservation Area (CA), which is characterised by a mixture of 19th and 20th century housing and the main Walworth Road shopping street, which is characterised by a mixture of Georgian, Edwardian and Victorian architecture.
6. Sutherland Walk is a quiet tree-lined residential street which leads off the Walworth Road shopping area. The street is characterised by a small number of modern terraced townhouses, where some have integral garages and small front gardens or areas of frontage car parking. Moving west, the character becomes more historic with much older dwellings of a similar scale also arranged in terraces.
7. No.34 is a modern terraced townhouse over 2.5 storeys with a similar design to its immediate contemporary neighbours. Whilst the presence of integral garages is not typical of the nearby historic townhouses, but the materials and use of horizontal incised stucco on the ground floor reflects some of the common features within the wider CA.
8. Paragraphs 193 and 194 of the National Planning Policy Framework (Framework) require that any harm to the significance of a heritage asset (through development of the asset itself or its harm resulting from development within its setting) requires that great weight should be given to its conservation, as well as a convincing justification for such development. Further, at paragraph 196, development that leads to less than substantial harm to the significance of a designated heritage asset, should be weighed against the public benefits of the proposal.
9. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. Further, paragraph 196 of the Framework, states that where there is less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals.
10. Further, Strategic Policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) (CS) and Saved Policies 3.15 (Conservation of the Historic Environment) and 3.16 (Conservation Areas) of the Southwark Plan (2007) (SP) seek development that protects and enhances the settings of designated and non-designated heritage assets throughout the Borough.
11. I note the concerns of the council in respect of the harm associated with the use of uPVC windows in the CA. In this case, largely because of the size of the window frames. I have considered this in relation to the impact this would have on the significance of the CA.
12. At the site visit, within the immediate area, I observed the use of uPVC windows to many of the rear and side elevations of the buildings fronting Walworth Road.

13. I find the small-scale use of a non-traditional material in this part of the CA would not be particularly noticeable, other than on close inspection.
14. To that end, and in this case, I consider there to be neutral impact on the CA in terms of the proposed additional windows and I therefore do not find harm in respect of Strategic Policy 12 of the CS and Saved Policies 3.15 and 3.16 of the SP, nor the relevant parts of the Framework.

Conditions

15. The condition (1) listing the approved plans is applied in order to ensure certainty and precision and I have imposed a condition (2) requiring that the same materials are used for the side windows in order to maintain the visual amenity and satisfactory appearance of the area.

Conclusions

16. For the reasons given and considering all other matters raised, I consider the appeal is allowed subject to the condition set out above.

Sian Griffiths

INSPECTOR