



---

## Appeal Decision

Site visit made on 16 February 2022

**by David Murray BA (Hons) DMS MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 March 2022**

---

**Appeal Ref: APP/L5810/W/21/3281499**

**The Old Power Station, Mortlake High Street, Mortlake, London, SW14 8SN.**

- 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 Marston Properties Ltd. against the decision of the Council of the London Borough of Richmond-upon-Thames.
  - The application Ref. 21/0524/FUL, dated 15 February 2021, was refused by notice dated 9 April 2021.
  - The development proposed is the replacement of the existing timber fenestration and doors to front/south elevation with metal framed fenestration and doors – colour and subdivision to match existing.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the replacement of the existing timber fenestration and doors to front/south elevation with metal framed fenestration and doors – colour and subdivision to match existing at The Old Power Station, Mortlake High Street, Mortlake, London, SW14 8SN, in accordance with the terms of the application, Ref. 21/0524/FUL, dated 15 February 2021, and the plans submitted with it, subject to the conditions set out in the attached Schedule:

### Main Issue

2. The main issue is the effect of the proposed replacement fenestration/doors on the character and appearance of the host building and its setting on the street scene.

### Reasons

#### *Background*

3. The appeal site comprises the Old Power Station – a two storey building where the south elevation fronts the High Street and the rear elevation overlooks the River Thames. Built in 1901 the building has a late Victorian industrial architectural form with brick elevations and contrasting brick detailing, especially around the arched windows and doors. It is listed as a Building of Townscape Merit (BTM) and lies within the Mortlake Conservation Area. The Design and Access Statement indicates that in the 1980s the building was converted into offices and a community centre on the ground floor.

*Effect on the character and appearance of the building*

4. From the representations submitted it is evident that the fenestration on the southern elevation of the building has varied considerably over time. The photograph taken in 1972 shows at least 6 principal windows on the ground floor which were previously bricked up but have now been reinstated, and a sash window then existing on the ground has now been bricked up. Moreover the photograph shows some timber windows in a different format to that existing. More recent photographs show metal framed windows introduced into the previously blank gable elevation of the building facing west and there are metal framed black windows in the brick archway as the main entrance to the front of the building.
5. At the site visit I also noted that many of the timber windows were showing signs of rot and previous repair work and I note that the Council's Heritage Officer raises no objection in principle to the appropriate replacement of these windows. Looked at as a whole it appeared to me that the building as a BTM makes a positive contribution to the significance of the Mortlake Conservation Area but that its present appearance is diminished by the physical state of many of the windows.
6. The formal reason for refusal refers to the 'altered openings' but the appellant confirms that it is intended to leave the existing brick surround to each window unaltered and this is also my reading of the submitted plans. The critical issue is therefore what material is most appropriate for replacement windows.
7. I agree with the appellant's assessment that overall the current variation of design, form and colour result in a visually awkward mix of fenestration and the overall character of the building would be enhanced by a more consistent and coherent appearance. Much of the evidence in support referred to by the Council, such as the SPD for House Extensions, and the guidance issued by Historic England on 'Traditional Windows', mostly refer to windows of a domestic form and scale but the Old Power Station has a significantly different form and character and it is not unusual for industrial buildings of the late Victorian period to have metal windows. Examples of metal windows that exist locally in traditional warehouse buildings are shown in the Design and Access Statement.
8. The Council refers to the loss of traditional sash windows but these are not the dominant window form on the building and while there would be a change to the form of opening of these windows this would be consistent with the other main type of window. The plans also show that the glazing bars and arched headers in the new fenestration would match the existing design.
9. In making this assessment I have placed great weight on the conservation of the significance of the BTM as a heritage asset. However on the evidence put to me and my observations on site I conclude that the use of metal framed windows is not incompatible with the historic and architectural significance of this former industrial building. The proposal would enhance the character and appearance of the building in the long term and not harm it. Accordingly I find that the proposal meets the requirements of Policies LP1, LP3 and LP4 of the Council's Local Plan (2018) and the general guidance on the conservation of the historic environment set out in the National Planning Policy Framework (NPPF).

### *Planning Balance*

10. On the main issue I have found that the proposed replacement metal windows would preserve and enhance rather than harm the architectural and historic significance of this former industrial building as a BTM, as it currently exists, and the work meets the requirements of the development plan and national policy. This is not outweighed by any other consideration which indicates that the appeal should be allowed.
11. In terms of conditions the Council recommends four which I will consider under the same numbering. In addition to the standard condition on the commencement of the development (No.1), in the interests of clarity it is necessary that the plans that are approved are specified (No.2). Moreover, in order to maintain the appearance of the building it is reasonable and necessary to impose condition No.3 regarding the external finishes and materials. Finally in response to Policy D12 of the Mayor's London Plan (2021) condition No.4 is reasonable and necessary on the submission of a Fire Safety Statement to ensure that the external finishes do not add to fire risk. This is drafted as a 'pre-commencement' condition but the appellant does not object to its imposition.

### **Conclusion**

12. For the reasons given above I conclude that the appeal should succeed.

*David Murray*

INSPECTOR

### **Schedule of Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable: 001; 002; 003 and 004 B received 16th February 2021.
3. No new external finishes (including fenestration), including works of making good, shall be carried out other than in materials as submitted.
4. The development shall not carried out unless in accordance with the provisions of a Planning Fire Safety Statement to be submitted to and approved in writing by the Local Planning Authority