



Appeal Decision

Site visit made on 21 February 2022

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 May 2022

Appeal Ref: APP/L5240/W/21/3284422

Flat 8, Shirley Lodge Mansions, 41 Coombe Road, Croydon CR0 1BQ

- 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 Zara Monteiro against the decision of the Council of the London Borough of Croydon.
 - The application Ref 21/01270/FUL, dated 16 April 2021, was refused by notice dated 22 July 2021.
 - The development proposed is the replacement of existing timber windows with double-glazed uPVC windows.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of existing timber windows with double-glazed uPVC windows at Flat 8, Shirley Lodge Mansions, 41 Coombe Road, Croydon CR0 1BQ in accordance with the terms of the application, Ref 21/01270/FUL, dated 16 April 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 12209-1 (12/4/21) – Block Plan and Location Plan
 - 12209-2 (12/4/21) – Plans as existing & proposed
 - 12209-3 (12/4/21) – Elevations as existing & proposed
 - 3) The replacement windows hereby permitted shall be “Authentic” brand “Classic Collection” range uPVC double-glazed units as specified in the submitted Heritage Statement (GPA, 16 April 2021). The external face of the frame of all new windows shall be set in reveals to match those of the existing windows to be replaced.

Main Issue

2. The main issue is the effect of the proposed windows on the character and appearance of Shirley Lodge Mansions, a locally-listed building, and the Chatsworth Road Conservation Area.

Reasons

3. The appeal site lies within the Chatsworth Road Conservation Area ("the Conservation Area"). I therefore have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. As heritage assets are irreplaceable, the Framework states that they should be conserved in a manner appropriate to their significance (paragraph 189). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 200) and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 202).
4. The Conservation Area lies immediately south-east of Croydon town centre, and is a predominantly residential area containing a substantial grouping of late Victorian and Edwardian houses. The 2008 Conservation Area Appraisal and Management Plan ("the CAAMP") describes many of the buildings as being of a high architectural quality, and highlights the delicate and detailed decorative architectural features which adorn many of them as greatly enriching the overall character and appearance of the area.
5. The CAAMP explains that the largest, earliest and grandest houses in the Conservation Area are found on the north side of Coombe Road, which marks the southern boundary of the Conservation Area. Shirley Lodge Mansions is among these; it is a four-storey red brick Victorian villa described in the CAAMP as having "deep eaves brackets in iron, a side entrance bay with granite Corinthian columns, and various brick details including a dog tooth cornice at first floor level". It is on the Council's register of local listed buildings, and is acknowledged by the appellant to be a non-designated heritage asset ("NDHA").
6. The appeal property is a first-floor flat at the rear of Shirley Lodge Mansions. The proposal is to replace its nine existing timber framed windows with double-glazed uPVC windows. The CAAMP highlights timber sliding sash window frames as a key architectural feature of the Conservation Area, and among other things identifies the replacement of traditional-style windows as a threat to the area's special character; it states that "historic and traditional style traditional style windows should be retained and repaired due to the important contribution they make to the Conservation Area's special character". Both the CAAMP and the Council's 2013 *Conservation Area General Guidance* Supplementary Planning Document ("the SPD") advise that if the replacement of windows is justified then they should be on a like-for-like basis where original units are of significance. The Council is therefore of the view that any replacement windows should be timber framed; on this matter it was supported by the Chatsworth Road Residents' Association.
7. I saw on my site visit that the existing windows serving the appeal property are in a poor state of repair, with much of the timber being mouldy or rotten. I note also the appellant's comments that as the windows do not open or close properly, some of the rooms within the flat are draughty while others have inadequate ventilation. It is suggested by the appellant, and on the basis of all the evidence before me it seems likely, that the existing windows are not original, and of very limited significance in terms of the heritage of the area; among other things they lack some of the detailing such as horns which I saw on other timber-framed windows on Shirley Lodge Mansions and elsewhere in

the Conservation Area. However, the proposed replacement windows would be designed to include such features, and to reflect the traditional detailing and proportions of timber-framed windows.

8. I also saw on my site visit that many of the windows within Shirley Lodge Mansions already have uPVC frames. I acknowledge that some are not as sensitive to the building's character as they perhaps should be; for example, those on the street-facing elevation of the front first-floor flat have squared-off tops which sit somewhat clumsily within the arch-topped window openings, while others have chunky proportions quite distinct from the more slender timber-framed windows which would originally have been installed. However, the flats at the rear, immediately above and below the appeal property, have sympathetically designed and proportioned uPVC windows.
9. With the exception of the south facing kitchen window, identified on the submitted drawings as "W7", the windows to be replaced would all be on the side or rear elevation of the appeal property, and would not be seen in public views of the building. Even W7 would be set well back from Coombe Road, and so would be in a prominent position. In any case, the windows immediately above and below W7 already have uPVC frames, reasonably authentic in their proportions and with features such as continuous horns which reflect the more traditional windows found elsewhere in the Conservation Area. Although the Council would prefer the other uPVC windows to be returned to their original appearance "where the opportunity arises", there is nothing before me to suggest that this is a realistic prospect for the time being.
10. Given the poor condition of the existing windows, the use of similar uPVC windows on the appeal property, when seen in the context of the windows on the flats above and below, would in fact be likely to increase the visual consistency and coherence of the rear part of Shirley Lodge Mansions. The principal significance of Shirley Lodge Mansions as an NDHA, and its primary positive contributions to the character of the Conservation Area, are derived from its imposing scale and massing, and from the detailing highlighted in the CAAMP as set out in paragraph 5 above. I am satisfied that, although the use of uPVC windows would not strictly comply with the advice in either the CAAMP or the SPD, this would not compromise the overall aesthetic quality of Shirley Lodge Mansions, or the positive contribution it makes to the Conservation Area.
11. Accordingly, I conclude that the proposed development would not harm the character or appearance of Shirley Lodge Mansions, and the character and appearance of the Conservation Area would be preserved. The proposal therefore complies with Policies SP4, DM10 and DM18 of the 2018 Croydon Local Plan, and Policies D4 and HC1 of the 2021 London Plan, which among other things seek to ensure that development respects local character (including in appearance and materials), and that the character and appearance of heritage assets is preserved or enhanced. As I do not find that the development would cause harm to the heritage assets, it is not necessary to apply the public benefit test set out in paragraph 202 of the Framework.

Conditions

12. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition requiring the replacement windows to be as specified in the submitted Heritage Statement and set in the window reveals to match the

existing, as the detail of the proposed replacement windows has been a determinative factor in my decision; such a condition is necessary to protect the character and appearance of Shirley Lodge Mansions and the Conservation Area.

Conclusion

13. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

M Cryan

Inspector