



Appeal Decision

Site visit made on 1 April 2022

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2022

Appeal Ref: APP/P5870/D/21/3289335

1 Meadow Close, Sutton SM1 3LP

- 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 Thomas Kerridge against the decision of the London Borough of Sutton.
 - The application Ref DM2021/00789, dated 19 April 2021, was refused by notice dated 14 October 2021.
 - The development proposed is the provision of a replacement porch door and replacement windows to the property.
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Decision

1. The appeal is allowed, and planning permission is granted for a replacement porch door and replacement windows to the property at 1 Meadow Close, Sutton SM1 3LP in accordance with the terms of the application, Ref: DM2021/00789, dated 19 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 details: Site Location Plan, Test Job Sheets 1 to 18, Asset FineLine Specifications and Heritage Statement.
 - 3) Notwithstanding the approved details under condition 2, the windows shall not be installed until the specifications for the glazing bars and openings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area, including the Conservation Area.

Reasons

3. No.1 Meadow Close is a semi-detached property located at the end of a horseshoe of terraced properties set around a green. The cottage style properties form part of the Sutton Garden Suburb and designated Conservation Area. As such, I have a statutory duty under section 72(1) of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In my view, the significance of the Conservation Area is derived from the layout and verdant character of the area, together with the architectural style of the properties within it.

4. The existing windows to be replaced have aluminium frames with a single opening to the top. The Council, in their officer's report, appear to suggest that the existing windows are original and that they relate well to the host property. However, as explained by the appellant, and as I observed on my site visit, the original windows would have been timber. There is some variety in the window format to those properties that still retain the original windows, nevertheless there is a distinct characteristic of small subdivisions, particularly to the upper part of the window. The existing windows to No.1 do not reflect this style and are visually noticeable in the street scene as the property occupies a prominent position angled towards Aultone Way.
5. The Council indicate that the plans submitted with the application fail to provide sufficient details to determine if the proposed windows would reflect the character of the area. Whilst I agree there is a lack of clarity to some elements, the dimensions of the windows are set out on the specification sheets, and the appellant's photographs and statement indicate that the proposal is for white uPVC windows with glazing bars, together with panels to the bottom of the porch.
6. From the decision it is not clear if the Council's concerns relate to the use of uPVC or the style of window. I accept that timber windows would be desirable, but the preferred approach for the refurbishment of the original windows is not an option, and many of the properties in the vicinity have uPVC windows. There are varying degrees of success in how these have been integrated, nevertheless, in my view, where the uPVC windows follow the general style, an overall visual appearance is retained. This is echoed in the guidance referenced by the Council who highlight paragraph 3.16 of the Sutton Garden Suburb Conservation Area Management Plan (2008) which explains that *"If uPVC is to be used, the Council will expect the proposals to be characteristic of the area (particular attention should be given to integral glazing bars and the need for frames of openers and non-openers to be correctly sized)."*
7. The appellant has referred to correspondence which indicate that the windows should be flush. This is not referenced in the officer's report or the decision, nor have I been directed to any policy or guidance setting out specific window specifications. The semi-detached properties which the appeal property is part of (Nos.1&2 and 19&20) all have different window styles, with the adjoining neighbour having non-flush uPVC windows. From the information before me there is nothing which identifies the specific format of the original windows to No.1. Notwithstanding this, in my opinion, the removal of the existing aluminium windows and the introduction of glazing bars would be a visual enhancement to the property.
8. Nevertheless, there is some ambiguity in the application documents regarding the position/number of glazing bars and openings. For clarity and certainty, it is important that the plans of the proposed windows reflect those to be installed. However, as these aspects are specification details they could, in my opinion, be agreed with the Council via a condition.
9. In conclusion, having regard to the materials and style of the existing windows I find that the proposed replacements would improve the integrity of the property and preserve the significance of the Conservation Area as a whole. Thus, the proposal would accord with Policies 28 and 30 of the Sutton Local Plan 2018 and Supplementary Planning Documents (SPD4 and SPD14) which

amongst other things require that development responds to local character and conserves the elements which contribute to the Conservation Area's special character or appearance.

Conditions and Conclusion

10. I have imposed the standard condition allowing 3 years to commence development and a condition specifying the relevant plans. As set out above, a condition is also required to agree the exact window specifications in relation to the positioning of the bars and openings. Given the nature of the development this would have to be a pre-commencement condition and the appellant has agreed to this wording.
11. For the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be allowed.

G Ellis

INSPECTOR