
Appeal Decision

Site visit made on 27 July 2022

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2022

Appeal Ref: APP/H5960/D/22/3295395

14 Putney Park Lane, London SW15 5HD

- 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 Bart Jongsma against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2021/5075, dated 2 November 2021, was refused by notice dated 22 February 2022.
 - The development proposed is described as 'replacing the existing steel framed single glazing windows with uPVC double glazed windows'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the heading above I have used the description of the development as given on the application form. This differs from that used by the Council, but accurately describes the development under consideration. The uPVC windows have been installed and therefore I am considering this appeal retrospectively.
3. The appeal site is covered by an Article 4 Direction. This has the effect of requiring planning permission to be obtained for a range of alterations which would otherwise be covered by permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015. The Council's Officer Report states that the Article 4 Direction does not apply to the rear elevation. Schedule II of the Article 4 Direction appears to confirm that to be the case. However, the application documents and the Council's decision notice refer to replacement windows to both front and rear elevations.
4. It is not the function of this appeal to determine whether works undertaken benefit from permitted development rights. Therefore, I have considered the replacement windows to both front and rear elevations, as detailed in the application. In the event that any of the replacement windows do not require planning permission, that is a matter to be resolved between the main parties.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the existing dwelling and whether it preserves or enhances the character or appearance of the Dover House Estate Conservation Area.

Reasons

6. The appeal site is a two storey mid terrace dwelling located within the Dover House Estate Conservation Area. At the front, it faces onto a tree-lined avenue along Putney Park Lane. To the rear are an access road and parking areas.
7. The Conservation Area comprises clusters of cottage-style dwellings, laid out in a planned manner in the 1920s, to a design influenced by the Garden City Movement. The detailed design of each short terrace or pair of dwellings varies, but each was designed with consistent architectural features, so as to provide a unified and often symmetrical appearance. The area retains a pleasant suburban character, with the clusters of dwellings arranged around green spaces. The avenue along Putney Park Lane, to the front of the appeal site, provides an attractive linear green space which links with one of the larger open spaces at The Pleasance.
8. The Council's Dover House Estate Conservation Area Appraisal 2007 (CAA) highlights that design of window frames – particularly on the front elevations – is important to the significance of the Conservation Area as a whole. In the earliest parts of the estate, where the appeal site is located, the original windows had slender metal frames, to a design commonly known as 'Crittall' windows after their manufacturer. Although other designs were later used elsewhere on the estate, they were unified by the use of glazing bars dividing the glass into small 'cottage style' panes.
9. In common with a number of other properties, the original windows at the appeal site were replaced in the 1960s, also with metal-framed, single glazed windows. Although these lacked glazing bars, they were similar to the design of the original Crittall windows in terms of their proportions.
10. In contrast, the replacement uPVC windows have a significantly thicker frame than either the original design or their 1960s replacements. They do not have the 'cottage style' glazing bars which were a consistent feature of all the original window designs. The window frames occupy a higher proportion of the window opening. The opening casements also stand proud of the surrounding frame. This is in contrast to the slender profile adopted by the original design and also by the modern metal replacements at 12 Putney Park Lane, which the Council has highlighted as being more appropriate.
11. The replacement windows on the front elevation face onto the tree-lined avenue along Putney Park Lane. From this public viewpoint, the relationship between the clusters of cottages and their surrounding green space is readily apparent and the varied but symmetrical designs of each individual terrace can still be appreciated. For the reasons noted above, the uPVC windows do not preserve the character and appearance of this cluster of dwellings, because they introduce a modern feature which fails to incorporate important aspects of the original design.
12. As has been highlighted by the appellant, there are several other examples of replacement windows in the Conservation Area, with varying degrees of consistency with the original designs. They include other examples of uPVC replacements in the vicinity of the appeal site. However, I do not have any evidence before me about whether these pre-date the Article 4 direction or whether they benefit from planning permission.

13. In any event, the existence of other inappropriate replacement windows does not justify further harmful alterations. The CAA specifically highlights harm caused to the appearance of the Conservation Area through the cumulative effect of small-scale alterations including unsuitable window replacements. It also indicates that the purpose of the Article 4 Direction was to establish control over further such alterations. As such, I afford the existence of these existing replacement windows limited weight.
14. With regard to the windows on the rear elevation, the Council's Officer Report comments that these are acceptable given their relative lack of visibility. Based on the evidence before me, I see no reason to reach a different conclusion. While the upper floor is visible from the rear access road, this is a more functional area, in which the original symmetry and detailing of the terrace is less easily perceived. Overall, I do not consider that the replacement windows to the rear elevation are harmful to the character or appearance of the Conservation Area or to its significance.
15. However, notwithstanding the lack of harm arising at the rear of the appeal site, I conclude that the uPVC windows to the front elevation are harmful to the character and appearance of the Conservation Area.
16. The harm to the significance of the Conservation Area is less than substantial, in the words of paragraph 202 of the National Planning Policy Framework July 2021 (the Framework). Nevertheless, I have attached considerable weight and importance to the desirability of avoiding such harm. This is in accordance with Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
17. Paragraph 202 of the Framework states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The appellant has highlighted energy efficiency gains arising from replacement windows, as well as government recommendations for landlords to improve energy efficiency in properties available for rent. This could be regarded as a public benefit, at least in part, given the environmental benefits of greater energy efficiency and the social benefits of increasing the availability of energy efficient housing. However, there is no evidence before me to demonstrate that energy efficiency improvements cannot equally be achieved using a more visually appropriate window design. As such, I have afforded this consideration limited weight which would not outweigh the harm to the significance of the Conservation Area.
18. Taking the above matters into consideration, I conclude that the replacement windows to the front elevation would fail to preserve the character and appearance of the existing building and of the Conservation Area and would not meet the requirements of section 72 of the Act.
19. For the same reasons, the development does not accord with Policies PL1 and IS3 of the Wandsworth Local Plan Core Strategy adopted March 2016, Policies DMS1 and DMS2 of the Wandsworth Local Plan Development Management Policies Document also adopted March 2016, Policies D3 and HC1 of the London Plan adopted March 2021, or with relevant paragraphs in the Framework. Amongst other things, these policies require that development conserves and where appropriate enhances the significance, appearance and character of

heritage assets, including through management of the cumulative impacts of incremental change.

Conclusion

20. The proposed development would result in less than substantial harm to a heritage asset, which is not outweighed by public benefits. Having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Jane Smith

INSPECTOR